

GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Highway

North Haverhill, NH 03774

August 8th, 2017

PRESENT: Commissioners Lauer, Ahern and Piper, County Administrator Libby, Admin. Asst. Norcross.

OTHERS PRESENT: Attorney Saffo, Farm Manager Kimball, Maintenance Supt. Oakes

Commissioner Lauer called the meeting to order at 9:00am and began with the Pledge of Allegiance.

FM Kimball arrived and gave the following report:

- 1) Currently milking 75 cows. We are shipping 5,800lbs daily, averaging 77 lbs. per cow.
- 2) Price of milk is up, now at \$19.00 per hundredweight.
- 3) Getting 2nd crop haying done. Weather still has not given much opportunity to finish.
- 4) Farm stand doing okay
- 5) We are short inmate help for picking vegetables
- 6) Never had a suitable candidate for temporarily filling the temporary herdsman's position.

The Commissioners and FM Kimball had a discussion regarding the lack of inmate help. Commissioner Ahern noted that Supt. Elliott had stated that there is a statute that will allow him to use pretrial inmates if they so choose to volunteer. He recommended that FM Kimball talk further with Supt. Elliott and discuss those options.

Supt. Oakes arrived to open bids for the Forced Sewer Main Engineering Services. Four (4) bids were received and were as follows:

Pathways Consulting – \$ 39,484.00

Horizons Engineering – \$ 31,814.00

DuBois & King – \$ 15,580.00 + \$2, 446.00 – topographic survey

CMA Engineers – \$ 55,638.00

Supt. Oakes stated that he would review the bids and return next week with a recommendation.

Commissioner Lauer asked if everyone had a chance to read the minutes from the August 1st meeting. Commissioner Lauer and Commissioner Piper had a couple of edits.

Commissioner Piper moved to approve the minutes from the August 1st meeting as amended. Commissioner Ahern seconded the motion and all were favor.

The Commissioners signed check registers 6-9; 1012-1016; 1019; 1215

CA Libby submitted the DoC Superior Court Report for the month of July for the Commissioners review.

DMV Rental Space – CA Libby stated that the DMV wanted to know what the increase in rent would be as well as the square footage of the space and with that information they would draw up a new contract. CA Libby stated that they currently occupy 200 sq. ft. at \$13.50/sq. ft. or \$2,700 a year. She noted that the space in the basement is 338 sq. ft. which includes the counter and behind the counter. That does not include the conference room as they would not be occupying that space all the time with their furniture and supplies only twice a month when they are there and would use it for testing. Commissioner Lauer stated that they will finish this discussion later in the meeting as County Attorney Saffo arrived to give her report.

CA Saffo arrived and gave the following report:

**Office of the Grafton County Attorney
Lara Saffo, County Attorney
August 8th, 2016**

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) The Caseload at the Office of the Grafton County Attorney.

The dramatic increase in referrals to the Office of the Grafton County Attorney from law enforcement agencies continues.

Calendar year 2016 figures:

As reported previously, the Office of the Grafton County Attorney (OGCA) experienced an increase of over 120 referrals last year. In calendar year 2015 we had 750 referrals, in calendar year 2016 we had 894 referrals.

2017 figures show that last year's increase is not only sustained, but continues to increase dramatically

From January 1, 2016 to August 8th, 2016, the OGCA received **476** referrals.

From January 1, 2017 to August 8th, 2017, the OGCA received **573** referrals.

This is an increase of 97 cases since January 1, 2017.

Update on Felony first:

We have had a total of 106 felony first cases since April 1, 2017, in 54 of the charges, the individual was released on bail. In 52 of the cases, the individuals were incarcerated on bail conditions.

To date we have been able to work through the prosecutor's obligation to get complaints filed. We are looking forward to hiring the new prosecutor to work on tracking the discovery from the agencies and getting plea offers approved, discussed with victims, and out in short notice. This is the next emphasis.

The court schedules arraignments weekly (every Mondays), so these are all fast tracked cases. We have to file the charges and the probable cause affidavit five days before the arraignment, so generally within a week or two. Our victim witness program must respond right away as well. This is a fast track for the law enforcement agencies, who have to get us needed material on an expedited basis.

(2) New prosecutors / office

We are currently interviewing for the first new position.

We are designing the office for the new prosecutor, using what was the old front conference room. One of our support staff persons will join the prosecutor in that space, and I will have a third desk there, initially for my use as I train the new prosecutor and we implement Early Case Resolution. Later an intern can use the desk, it will just be a simple, small desk.

We anticipate moving the support person there next week. This will free up the space for the legal assistant for the Victim Witness Program. It will involve shifting another person in the main office, but the Victim Witness Program is looking forward to the position being filled.

(3) Early Case Resolution

Felony First anticipates Early Case Resolution. What will be vital is whether this will happen in practice. We are beginning to have the first round of early dispositional conferences.

(4) Sex Crimes Unit / Computer forensics/Digital Evidence

We continue to work hard to inventory and consolidate existing resources in an office for the sex crimes unit. The New Hampshire Department of Safety posted the part time prosecutor consultant position, and I look forward to that vital position being filled. We continue to work with New Hampshire's Internet Crimes Against Children Task Force and see a dramatic increase in internet crimes.

(5) Sexual Assault Initiatives

I wanted to take this time to summarize a number of initiatives designed to improve our response to child and adult sexual assaults.

Sexual Assault Justice Initiative grant

Grafton County is part of this grant as well. It includes recommendations and technical assistance in establishing a rural sex crimes unit. This grant funds a full time investigator out of major crimes that focuses on adult sexual assaults in rural counties. Trooper Catherine Shackford's expertise and assistance has been well received in numerous towns investigating these cases. As noted above, the next part of the grant involves hiring a prosecution consultant and arranging for multiple training events for prosecutors in the six rural counties. Parameters have been designed to collect data to evaluate the effectiveness of this grant. This will be rolled out to counties this fall.

Prosecutors Sexual Assault workgroup

Sexual assault prosecutors in New Hampshire meet bi monthly to share information and discuss how we can improve our response to child and adult sexual assaults. Grafton organizes and attends these meetings. We are hoping the SAJI prosecutor consultant will manage the group after he or she is hired.

Sexual Assault Resource Teams

Grafton County has three Sexual Assault Resource Teams, and hopes to include Northern Grafton County shortly. Most counties have one Sexual Assault Resource Team. Grafton needs more due to its geography and the fact that team members do not overly in the different corners of Grafton. We have three crisis advocacy programs, three elder and adult services offices, four circuit courts, and four hospitals. These teams do a number of things, including holding informational events, and case reviews. In case reviews, we look at cases that we either finished prosecuting or declined to prosecute and round table those, with all stakeholders present. It is an effective tool to self-evaluate. Our SARTS are:

Haverhill Area SART
Plymouth Area SART
Upper Valley SART

To learn more about SARTs please see <http://www.nsvrc.org/projects/sexual-assault-response-teams-sart-0>.

UNH Prevention Innovations Research Center grant – community colleges

The newest initiative is the UNH Prevention Innovations Research Center Grant to Combat Sexual Assaults with a focus on community (not residential) colleges. Friday the county attorney participated in a training with representatives from all the community colleges. The Grafton County Attorney is the prosecution representative on the TAG team for this grant (Technical Advisory Group). It was a privilege to work with them. The next steps include summer half-day work sessions to work on prevention plans for all community colleges (in Grafton that is the Littleton branch of White Mountains Community College and the Lebanon branch of River Valley College). In early June, Prevention Innovations we will be sharing with schools the individual climate survey information as well as the aggregated data for all of the Colleges. If you have not been on the UNH Prevention Innovations website, it is worth reviewing.

<http://cola.unh.edu/prevention-innovations-research-center>

(6) Community Partnerships

The Office of the Grafton County Attorney supports the building of strong partnerships and collaborations with law enforcement, all members of the criminal justice system, and the communities we serve. These partnerships are vital to improve public safety.

ATTORNEY GENERAL'S OFFICE:

Attorney General – County Attorney meetings
AG Child Abuse and Neglect Conference Committee
AG Protocol drafting: Adult Sexual Assaults, Human Trafficking

ALTERNATIVE SENTENCING

Drug Court

In order to receive funds, the drug treatment courts in New Hampshire will need to be in compliance with the NADCP Best Practice Guidelines, so it is important that all interested individuals understand the requirements. They are available on line at <http://www.nadcp.org/Standards> . Webinars are also available on the best practices at the same website. I am providing you with information regarding best practices for medicated assisted treatment, as just an example of additional information readily available.

We have weekly team meetings, followed by the open court session every Monday. There may be additional hearings as well, in addition to required trainings.

Other drug initiatives: Haverhill Area Substance Abuse Coalition (Cottage Hospital)
We participate regularly in other initiatives.

Justice Involved Veterans Task Force

This group meets monthly, and this year presented enabling legislation that I testified in support of. We can attend these meetings telephonically.

Mental Health Court

We have not been able to attend these meetings each month, but try to attend as much as possible.

Adult Diversion

We work with the adult diversion as well.

FIRMM

We look forward to working with this sentencing alternative as well

Grafton and Sullivan County CAC at DHMC

Like the County Attorney's office, the CAC continues to experience high numbers. It is vital that prosecution is involved in these cases from the inception. Similar to our drug unit, we hope to develop a child abuse unit at our office, although there are far too many of these cases for one prosecutor, so we have three that specialize in these cases (and carry additional caseload). We are hoping to be able to have one of the three be the primary contact for the CAC.

The OGCA participates in three types of meetings for the Grafton and Sullivan County CAC at DHMC, case review meetings: Twice a month we have meetings to review all pending cases, and provide a status on past interviews. We have one meeting in Lebanon once a month. We have a meeting in Littleton and Plymouth (alternative locations) once a month. We also participate in Director and Advisory Board meetings. We have meetings six times a year to discuss the program, and often have supplemental meetings to discuss a specific issue, such as sustainability.

STATEWIDE SOFTWARE/PBK

We participate in monthly statewide software meetings to enhance the use and efficiency of our statewide prosecutor's software.

This includes working on the Uniform Charging Table for the State of New Hampshire, and specifically developing elements of offenses for everyone to use in New Hampshire

NH HUMAN TRAFFICKING COALITION

We are a member agency with the New Hampshire Human Trafficking Coalition.

(7) Grants

a. VAWA Grant

We received this grant, for \$30,000 towards the cost of a prosecutor to handle in part domestic violence and sexual assault cases. The year for the grant is June 30th, 2016 – June 30, 2017. The reports have been submitted.

b. VOCA Grant

We received the grant is for \$50,000 towards our Victim Witness Program. It pays for some of the costs of a Victim Witness Coordinator and for a new program, in our case Circuit Court Prosecution services. We have the official paperwork and are accepting referrals. It has already proven beneficial. The reports have been submitted.

c. Haverhill Area Substance Abuse and Prevention Coalition

This prevention initiative is for the SAU 23 catchment area.

d. Partnership with UNH – Prevention Innovations Research Center Collaboration

We received this grant and are participating in prevention initiatives for college sexual assaults.

e. Sexual Assault Justice Initiative

As noted above, this is a DOJ grant that we will benefit from. The hiring committee hired the full time adult sexual assault investigator, and the grant has begun. The grant manager/prosecution consultant position is going to be advertised.

(8) Areas of needed expertise

- a. Arson
- b. Drugs
- c. Domestic violence
- d. Child sexual assault
- e. Adult sexual assault
- f. Abuse of Elders
- g. Assaults – simple to first degree
- h. Cybercrime
- i. Failure to register as a sex offender
- j. Gang activity
- k. Internet Crimes Against Children
- l. Negligent homicides – assault related
- m. Negligent homicides – DWI related / Driving Under the Influence, Serious bodily injury
- n. White collar crime – bank fraud, business fraud
- o. White collar crime – financial exploitation of family members/the elderly
- p. Computer fraud

- q. Property related offenses (bank checks/fraudulent use of a credit card/willful concealment)
- r. Property related offenses – burglaries and robberies
- s. And more . . .

10:09 AM Commissioner Ahern moved to temporarily adjourn this meeting for the purpose of consulting legal counsel. Commissioner Piper seconded the motion and all were in favor. Commissioner Lauer stated that they will now adjourn this public meeting for the purpose of consulting with legal counsel. The public must leave the meeting room and the door will be closed.

10:35 AM Commissioner Lauer reconvened the meeting.

Continued DMV Rental Space Discussion:

Commissioner Lauer stated that she cannot see them charging the DMV too much for the use of the conference room in the basement as there will only be a few chairs in there twice a month for testing. It will not be occupied 24/7. Commissioner Piper expressed her concerns about leaving the price per sq. ft. at \$13.50 as they are getting a much nicer space to use than what they are currently using at the courthouse. Commissioner Ahern stated that he feels they should at least go in at \$14.50/sq. ft. Commissioner Lauer stated that she disagrees as they just negotiated the \$13.50. The Commissioners discussed the museum space for the Register of Deeds and were all in agreement that the open counter space in the basement is going to be used for the DMV and that they will find additional testing space for them twice a month.

Commissioner Ahern moved that Grafton County lease to the State of New Hampshire Department of Motor Vehicles the space commonly known as the counter space and area behind it in our Administrative Building basement, comprising 338 sq. ft. at \$14.50/sq. ft. and that they will make additional space available to them for their testing. Commissioner Piper seconded the motion for discussion purposes.

Discussion:

Commissioner Ahern stated that this is a win win situation for the state in many ways. He feels they need to be able to compromise and that this is in the best interest of all those involved. He noted that he feels the space at the end of the hall on the 2nd floor is an ideal space for the museum. Commissioner Piper agreed with everything Commissioner Ahern had said and that the space on the second floor would make a much nicer museum space. She stated that she does want to talk more about the rent. They discussed the various spaces that the state rents in the Courthouse and CA Libby stated that without going through her files she does now know the exact pricing for the other leases. Commissioner Lauer stated that because they just negotiated the \$13.50 with the state the max she would be willing to go in at is \$14.50/ sq. ft. Commissioner Piper stated that she would like to see it around \$16.00 sq. ft. which would be \$5,400 a year.

Commissioner Piper moved to amend the motion to \$16.00/sq. ft. Commissioner Ahern seconded the motion for discussion purposes.

Discussion:

Commissioner Ahern stated that there is other commercial space in the area and he does not know what that goes for. He stated that may be a prudent thing to do is look at what other commercial space is going for in the area.

CA Libby stated that if the Commissioners would like to wait a week and have her do research on commercial rental space and what the leases are for the other rooms in the courthouse then she will do that. The Commissioners all agreed that they would like CA Libby to do some more research.

Commissioner Ahern withdrew his motion.

CA Libby discussed the following NHAC Conference topics with the Commissioners:

- Gift Basket Request
- Award Nominations
- Reservations

CA Libby requested to go into nonpublic session

11:21 AM 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) and matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant according to RSA 91-A:3, II (c) Commissioner Piper seconded the motion. This motion requires a roll call vote, Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Ahern “yes”; Commissioner Piper “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

*12:04 AM Commissioner Lauer declared the meeting back in public session.

Commissioner Ahern moved to permanently seal the minutes from the just completed non-public session because they could affect the reputation of someone other than those of the Board of Commissioners. Commissioner Piper seconded the motion and all were in favor.

Commissioner Piper attended the NHAC Executive Committee meeting Friday.

Commissioner Piper asked if they could move the August 22nd meeting to Monday the 21st. The Commissioners all agreed to change the date.

12:09 PM with no further business the meeting adjourned.

Respectfully Submitted,

Wendy A. Piper,
Clerk