

GRAFTON COUNTY COMMISSIONERS' MEETING  
Administration Building  
North Haverhill, NH 03774  
January 10, 2023

PRESENT: Commissioners Piper, Ahern and McLeod, County Administrator Libby and Administrative Assistant Norcross

OTHERS PRESENT: Interim Farm Manager White, DoC Supt. Elliott, County Attorney Hornick, Maintenance Supt. Oakes,

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

**Interim Manager White arrived and gave the following report (\*see attached)**

**DoC Superintendent Elliott arrived**

Supt. Elliott stated that he would like to request a sign on bonus for the chef positions at the Department of Corrections and a referral bonus. He explained that he has been running at 50% in this position since October and therefore has the money in that line to cover the bonus. He is looking to give \$1,000 after three (3) months and \$1,000 after six (6) months. He explained that he does not want to give the \$1,000 up front, as they have had problems with the Correctional Officer sign on bonus. The officers start, receive the bonus and then leave. He stated that he would like to make the amendment to the sign on bonus policy that he has in place.

**MOTION:** Commissioner Ahern moved to approve the sign on bonus, referral bonus and make the modifications as requested by Supt. Elliott. Commissioner McLeod second the motion and all were in favor.

Commissioner Piper asked if the modifications that were made for the DoC can also be made in the Maintenance Department and Farm. CA Libby stated that those changes were put into place when those sign on bonuses were implemented.

**Agenda Items:**

1. The Commissioners signed check registers: 1085-1086; 1090-1094; 2022-01.06.2023

**County Attorney Hornick arrived and gave an update on her office.**

Atty. Hornick stated that because this is the start of a new term and there is a new Commissioner, she would review the layout of her office including the staff members and what their responsibilities are. She discussed the various positions and their responsibilities and answered questions from the Commissioners.

**Supt. Oakes arrived to discuss House Bill 186.**

Supt. Oakes handed out the following document, which outlines his discussion with Tracy Wood from NH DES Waste Water Division (\*see attached)

Commissioner Piper stated that HB 186 has been submitted and their legislative advocate, the DuPont Group is tracking the bill. She noted that they have asked that the NHAC support the bill. The bill is in the Resources, Recreation and Development Committee. CA Libby stated that there are three (3) Grafton County State Representatives on that committee and suggested that they reach out to them.

CA Libby stated that she believes she and Commissioner Piper should have a discussion with Kate Horgan from the DuPont Group, and their Representatives on the committee.

Commissioner Ahern requested to go into nonpublic session.

**MOTION:** \*10:17 AM Commissioner Ahern moved to enter into non-public session for the purposes of 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 McLeod seconded the motion. This motion requires a roll call vote. Commissioner Piper called the roll. Commissioner Ahern “yes”, Commissioner McLeod “yes” Commissioner Piper “yes” Commissioner Piper stated that a majority of the board voted “yes” and would now go into non-public session.

Commissioner Piper declared the meeting back in public session.

**MOTION:** \*10:22 AM 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 McLeod seconded the motion. Commissioner Piper called the roll. Commissioner Ahern “yes” Commissioner McLeod “yes” Commissioner Piper “yes”. Commissioner Piper stated that a majority of the board voted “yes” and the motion passes

Commissioner McLeod stated that she would propose an amendment to the legislation to narrow it down to governmental entities that have a fiduciary responsibility to taxpayers. Commissioner Piper stated that she would reach out to Kate Horgan and set up a meeting to discuss this.

**Agenda Items:**

2. Re-Appointment of Officials – CA Libby explained that at the beginning of every term the Commissioners reappoint the following list of appointed department heads:

Julie Libby – County Administrator  
Craig Labore – Nursing Home Administrator  
Karen Clough – Human Resources Director  
Jim Oakes – Maintenance Superintendent  
Tom Elliott – DoC Superintendent  
Nicole Mitchell – Alternative Sentencing Director

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CA Libby noted that the last appointed position is the Farm Manager and the Commissioners will not do anything with that right now, as it is an interim role.

**MOTION:** Commissioner Ahern moved to reappoint the list of appointed officials as presented. Commissioner McLeod seconded the motion and all were in favor.

3. Tax Collections/Investments – CA Libby reported that all taxes are collected. Haverhill was the only late taxpayer and they paid December 27<sup>th</sup> with their interest penalty. She stated that all investments that were approved by the Commissioners on December 20<sup>th</sup> have been made.

4. Social Service Requests – FY 2024 – CA Libby stated that applications were due January 6<sup>th</sup> and the county received applications from all but three (3) current agencies they currently fund. They received a new program under one of their current agencies and an application from a new agency. Commissioner Piper explained that in the past before she came on board there was a person the county contracted with who went out and talked with all of the agencies, then gave a report on their recommendations. She stated that this person left, they tried contracting it out again for one year and the Commissioners have handled it since then. She has gone out and had lengthy conversations with the agencies. She explained that their process has been, over the last couple of years, if things have remained constant and unless they see problems, they have not felt the need to have those conversations again with the agencies. The last couple of years she has looked through the applications, had conversations with the agencies if necessary, and then she has made a recommendation to the Board. Commissioner Piper asked if there was anyone on the current board who would like to take on that task. She stated that the county's policy is to fund organizations that keep people out of the nursing home and reduce recidivism. The Commissioners further discussed the issue and Commissioner Piper and Commissioner McLeod agreed to both review the applications and come up with recommendations.

5. March Budget Meeting Schedule – CA Libby presented the proposed budget-meeting schedule. Commissioner McLeod asked if there was any way to reduce the number of meetings by combining some of days. The Commissioners agreed to reduce the number of meetings and CA Libby stated that she would redo the schedule.

6. Mediation Schedule – CA Libby gave the Commissioners a list of dates that the mediator is available. She noted that she is not available on a Tuesday. The Commissioners agreed on Wednesday February 8<sup>th</sup>. CA Libby noted that she is currently trying to schedule CDBG public hearings, and the February 7<sup>th</sup> meeting was one of the options. She stated that she would look to see if that could be held on February 8<sup>th</sup> and combine the mediation, regular meeting and the public hearings that day. She will keep inform the Commissioners when she has a set date.

7. NHAC Executive Committee Membership 2023/2024 – Commissioner Piper asked if Commissioner McLeod would be interested in being a member of the NHAC Executive Committee. She explained that they meet one Friday a month and reviewed meeting agendas to show Commissioner McLeod what the meetings entail. Commissioner McLeod questioned if she can be a member, attend virtually and still be able to vote. Commissioner Piper stated that she would get answers from Kate Horgan and discuss it next week.

8. RDC Business TA Grant (New Application)

- Public Hearing Date – CA Libby stated that the Commissioners would need to decide if they would like to sponsor the RDC Business TA Grant application for the upcoming year. The Commissioners agreed to sponsor the grant application. CA Libby stated that she would work on coordinating a date for that public hearing.

9. CA Libby submitted the following CDFA Claims for Commissioner Piper to sign.

NCIC Micro - \$10,000  
WREN Micro - \$15,308.01  
BEDCO/WEDCO Micro - \$3,248.69  
GRDC/CEDC Micro - \$2,253.43  
NCIC – Micro - \$1,690.07  
WREN – Micro - \$1,690.07

### **Supt. Oakes returned**

Supt. Oakes stated that he and the Commissioners received an email from Forester Jim Frohn. He reported that they are trying to gear up for the next test well site and there were concerns about wood that was taken from the last site. Forester Frohn's email stated that the stumpage is worth about \$15-\$25 based on what is there. Supt. Oakes stated that Dennis McLam has expressed interest in the wood and is asking that the county sell it to him for the market value. Commissioner Piper stated that she does not see any reason why they cannot give the firewood to D. McLam for that small amount of money. Commissioner McLeod asked if they could justify giving it to him because it is worth less than the work it will take to process the wood ourselves. Commissioner Ahern stated that his main concern is that there is value there and thinks the taxpayers should be taken into account. Commissioner Piper stated that she thinks Commissioner Ahern's point is good stewardship to taxpayers, but she is thinking about the employees as well. A new budget season is coming and every year the Commissioners hear about morale, regardless of what the Board does throughout the year to try to boost morale. If they can make a small gesture such as this, she would support that. Commissioner McLeod agreed. Commissioner Ahern stated that he thinks they should offer it to other county employees and asked if this opportunity can be made known to the employees. He is trying to make a level playing field and make sure everyone is given the same opportunity. Supt. Oakes stated that typically the average person does not have access to get up there. CA Libby asked what they would do if they had ten (10) employees that say they want it and Commissioner Ahern suggested putting it out to bid. CA Libby stated that it is then costing more time and money to go through the bidding process.

**MOTION:** Commissioner McLeod moved to accept the value of the wood in question at \$15 and that they allow the employee to harvest that wood at no cost because the cost of dealing with processing the wood for sale would cost more than the \$15. Commissioner Ahern seconded for discussion purposes.

Discussion – Commissioner Ahern stated that he has a problem with this and is not in favor.

The Commissioners voted on the motion. Commissioners Piper and McLeod were in favor and Commissioner Ahern was opposed. With the vote being two (2) in favor and one (1) in opposition the motion passes.

10. ARPA Future Planning Discussion – CA Libby stated that she asked department heads to submit what they felt they would be requesting for ARPA projects over the next two (2) years. She reviewed the attached list with the Commissioners, which totaled \$9,882,273.77. Commissioner Piper stated that they would need to review this. The Executive Committee stated at their last meeting that these requests are now appearing to be a wish-list and this is why the Commissioners decided to create a list of what the departments felt they would need. Commissioner McLeod stated that the infrastructure projects are important but feels it is important to contribute to the communities as well. Commissioner Piper agreed.

Commissioner Piper stated that they are not approving any projects today, they are only reviewing. She noted that she is seeing many small projects that would normally be included in the operating budget, which some of the Executive Committee members objected to last time. CA Libby stated that she is interested to hear the Commissioners thoughts on ARPA funds for communities. Commissioner Piper asked if they should open up the applications for communities and then assess them. CA Libby explained that when the Commissioners open this up, they would receive applications that far surpass how much they have left in funding.

Commissioner Ahern stated that he is inclined to work with Mascoma Community Health. Commissioner Piper agreed. Commissioner McLeod stated that they need to consider other issues that are out there if they are going to fund Mascoma Community Health. Commissioner Piper stated that Mascoma Community Health is working very hard for their population and she supports their application. Commissioner McLeod stated that Mascoma Community Health is trying to hold on long enough to make the merger and become a viable entity, all the federal money and state money is going to HealthFirst. There has to be a way to make sure that the time that is needed to support the bridge until the merger is limited. The Commissioners further discussed the request from Mascoma Community Health and agreed that they will all contact Executive Councilor Cinde Warmington and see if they can speed up the process. The reality is they cannot continue to fund Mascoma Community Health long-term. They will further discuss the request at their next meeting.

Commissioner Ahern stated that his thought is to invite communities to submit an application with no guarantees that it will be approved.

### **Commissioner Issues:**

1. Commissioner Piper stated that they have a new member of the Board and there a new Board and she would like to open the discussion to suggestions or requests for changing anything about the Commissioner meetings. Commissioner McLeod stated that in regards to the length of the meetings she would need more information and noted that most days she has to be done at noon. Commissioner Piper stated that in terms of department head reports, they have made changes over the years so IT, Alternative Sentencing, and the Sheriff report on highlights and challenges within their department. Commissioner McLeod stated that she is fine with that as long as they are not taking department heads away from their jobs. CA Libby explained that elected officials are not required to meet with the Commissioners but the appointed department heads are mandated to meet once a month with the Commissioners. She stated that it is valuable for the Commissioners as well as the department heads to inform the Commissioners of what is going on within their departments. CA Libby suggested leaving things how they are and once

Commissioner McLeod becomes comfortable with the different items they address, the meetings will go quicker. The Commissioners agreed.

12:57 PM with no further business, the meeting adjourned.

Commissioner Piper reconvened the meeting at 1:10PM

Supt. Oakes stated that he had budgeted \$88,000 as a worst-case scenario for their mandatory destructive sprinkler test, if all sprinkler heads needed to be replaced. He stated that Hampshire Fire Protection has provided four (4) separate quotes for the different sections of the nursing home, and it totals \$6,450 and therefore he is requesting a bid waiver. He explained that Hampshire Fire Protection Company performed all the original work in the building, and they use them as a regular contractor in the building, therefore Supt. Oakes would prefer that they perform this test as they are familiar with the building and system.

**MOTION:** Commissioner Ahern moved to waive the bidding process and approve the quote of \$6,450.00 from Hampshire Fire Protection Company. Commissioner Piper seconded the motion and all were in favor.

1:14PM with no further business, the meeting adjourned.

Respectfully Submitted,



Martha S. McLeod, Clerk

## January 2023 Farm Report

1. There are currently 55 cows milking, averaging 79 pounds per cow. We produced 113,828 pounds of milk for the month of December. Components were 4.33% butter fat and 3.26% protein. The milk pay price in November was \$27.57 for Grafton County Farm.
2. We have 2 sows that are confirmed pregnant and due in five weeks. A little earlier than last year. Trying to spread them out some over the spring instead of all at once.
3. We have five inmates assisting us with everyday farm work.
4. Looking at some potential help for the farm. Had an interview, waiting now to see interest level.
5. Working on maintenance of some equipment and things in the barn that we can fix while weather is cold.

Respectfully Submitted,

Ben White

Interim Farm Manager

## New Hampshire House Bill 186

January 6, 2023 - Discussion with Tracy Wood, NH DES Waste Water Division

- On Friday morning, January 6<sup>th</sup>, Tracy Wood left me a voicemail asking if she could discuss NH HB 186 (attached) with me.
- About mid-day I returned her call to hear her questions & comments.
- Tracy said her division is responsible for reviewing all pending legislation related to waste water rules.
- Before calling me, Tracey revealed she had spoken briefly to Woodsville Fire District (WFD) Commissioner Steve Wheeler and Woodsville Water & Light Department (WW&LD) Superintendent, Kevin Shelton. Their conversation covered the following:
  - They're aware the county hired Horizons Engineering to conduct a Waste Water Study (WWS) with the potential to construct our own sewer system.
  - They're aware of the pending legislation (HB186) and are opposed to it.
  - They are concerned about potentially losing Grafton County, their largest customer (We represent 25% of WFD sewer capacity).
  - They are reevaluating a 2013 Preliminary Engineering Report that recommended a \$7 million-dollar upgrade to the sewer plant for modernization, not due to capacity requirements.
  - They referred Tracy to Andrew Dorsett as county's contact since Andrew started WWS process.
- Tracy asked me for a copy of the final draft of Horizons WWS report. She wants to verify the accuracies of Horizon Engineering's findings and recommendation. She said Horizons is good at some things but not everything.
- Tracy asked me the following questions and made the following comments:
  - Why is the county pursuing HB186? *I replied our sewer fees have risen 124% in the last 10-years and continue to rise. We want to explore all avenues that meet DES waste water regulations yet do so at the lowest cost to the tax payers.*
  - Has the county tried speaking with the WFD/WW&LD to work out an amicable solution in lieu of HB186? *I replied, yes. The county asked the WFD to release them from the requirement of RSA 147:8 (attached) in the event Horizons Engineering's WWS Preliminary Engineering Study revealed it was beneficial for the county to construct its own sewage system. WFD officially said they would not support the county's request. Additionally, on numerous occasions the county has held talks with them on various utility issues and they have always been unyielding. Our experience has been, It's their way or the highway.*
  - It would be highly advisable to get a legal review of the plan we are trying to carry out to verify whether it would violate any state laws.
  - Expect opposition from other towns because passage of HB186 would be viewed as limiting their ability to regulate their own sewer ordinances.



HB 186 - AS INTRODUCED

2023 SESSION

23-0409  
08/04

HOUSE BILL

**186**

AN ACT

relative to waivers for alternative sewage disposal systems.

SPONSORS:

Rep. Stavis, Graf. 13

COMMITTEE:

Resources, Recreation and Development

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ANALYSIS

This bill requires the approval of waivers for alternative sewage disposal systems that meet required standards.

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Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

# TITLE X

## PUBLIC HEALTH

### CHAPTER 147

#### NUISANCES; TOILETS; DRAINS; EXPECTORATION; RUBBISH AND WASTE

##### Section 147:8

**147:8 Toilets; Drains.** – No person shall occupy, lease to any other person, or permit any other person to occupy, a building or any part of a building as a dwelling house, office, store, shop, theater, public hall, sleeping apartment or tourist cabin, unless such building shall have readily accessible adequate toilet and lavatory facilities, properly ventilated and constructed, and kept in proper sanitary condition; and unless said building shall be provided with suitable drains or sewers for conveying waste water and sewage away from the premises into some public sewer, if there be one within 100 feet thereof, and if not, for conveying it away underground or in some other manner that will not be offensive. The phrase "public sewer", as used in this chapter, shall be understood to mean any sewer constructed and maintained by taxation, or any sewer which is open for general use upon the payment of a rental, license or other fee. Notwithstanding the provisions of this section, privies (outhouses not conveying sewage by water) may be allowed if such facilities are first approved by the local municipal health officials as to location and construction of the facilities. At the option of the local municipal health officials, further approval may be required by the department of environmental services, prior to the construction of such facilities. **Nothing in this section shall prohibit cities, towns, or village districts, by ordinance or by regulation under RSA 147:1, from increasing the 100-foot distance contained in this section, or from granting waivers to the requirement of connection to the public sewer for properties with adequate alternative sewage disposal systems which comply with applicable state and local regulations, designed by a designer licensed in New Hampshire and approved for construction by the New Hampshire department of environmental services after January 1, 1985.**

**Source.** 1869, 8:1. GL 111:7. 1881, 89:1. PS 108:8. 1907, 106:1. PL 140:8. RL 165:8. 1947, 49:1. RSA 147:8. 1973, 93:1. 1985, 198:1. 1992, 17:1. 1996, 228:111, eff. July 1, 1996.