

GRAFTON COUNTY COMMISSIONERS' MEETING
Administration Building
North Haverhill, NH 03774
November 8th 2021

PRESENT: Commissioners Piper, Lauer and Ahern, CA Dorsett and Administrative Assistant Norcross.

OTHERS PRESENT: Register Monahan, Senator Guida, Nursing Home Administrator Labore, HR Director Clough, Farm Manager Nelson, DoC Supt. Elliott, County Attorney Hornick

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

Agenda Items:

1. The Commissioners signed check registers 1052, 1061-1065, 2011-10.29.2021, 2021-10.29.2021.1, 2021-0.29.2021.2.

2. Ex2 MSA & Task Order 1 Agreement - CA Dorsett stated that he is the representative from the Broadband Committee to bring this request forward to the Commissioners. He explained that following the BoC and Executive Committee approval of the use of ARPA funds to address design of a middle mile Broadband backbone, the Broadband Committee released an RFP and the Commissioners selected Ex2's proposal. Since that time, the Broadband Committee has explored the best method to begin a phased design process. The purpose of the MSA is to have one master agreement rather than doing a contract each time they need work done. There will be many projects through this process for both the County and member municipalities. CA Dorsett further explained that with other funding sources yet to be finalized, the Committee is moving forward with a phased design. The RFP for design services and the MSA were written such that any municipality could utilize Ex2. If a municipality wanted to do that, there would be a new Task Order between the municipality and Ex2 each time. Legal counsel has advised there is no additional liability to the County for this approach.

CA Dorsett reported that Task Order 1 is focused on getting started on the engineering of the project utilizing ARPA dollars. The Broadband Committee recommends this for several reasons:

- So that the County can be closer to shovel ready if we are awarded the NTIA grant because the construction timeline is very tight.
- If the County doesn't get the NTIA funds, we will be ready for the next big grant opportunity (coming up next is the USDA grant program).
- The locations the Broadband Committee selected have significance for the following reasons:
 - Building off network already built in Bristol rather than engineering "islands" around the County.

- They are the Community Development Block Grant (CDBG) awarded towns. The County received a CDBG to complete high level last mile designs for those municipalities.
- These locations are where there is a lack of other service providers. (This is an important value added to attract ISPs such as NHEC who said the locations are helpful to their goals, for example.)

CA Dorsett stated that the total cost of Task Order 1 is \$195,000 with project funding receiving prior ARPA approval via BoC and Executive Committee, therefore there is no County tax impact. The prior approved amount was \$250,000; remaining funds will be utilized for legal, grant writing services and contingency. These funds are currently being matched with \$25,000 of CDBG funds to assist municipalities with their design.

MOTION: Commissioner Ahern moved to execute the Master Services Agreement with Ex2 and that they further execute Task Order 1 to begin the project. Commissioner Lauer seconded the motion and all were in favor.

Commissioner Issues:

1. Commissioner Piper reported that she attended the NHAC Conference. The networking and social events went very well and the NHAC plans to work on the issues with the hybrid portion of the conference that was reported as disappointing to some attendees. Commissioner Lauer was awarded the Raymond Burton Community Service Award.

2. Commissioner Piper reported that Roberta Berner, former Executive Director of Grafton County Senior Citizens Council contacted her as President of the NHAC, to ask if she would attend a Zoom meeting with a task force of the NH Commission on Aging. The Commission is addressing different issues regarding the topic of aging in New Hampshire. One task force is on Long Term Services and Supports. The task force is meeting today and the central question being asked of the NHAC is if the counties are banding together to create any initiatives, with the use of ARPA funds, to assist with the aging population, specifically, helping residents stay at home rather than seeking admission to Nursing Homes.

County Attorney Hornick

Atty. Hornick reported that she had previously met with the Commissioners and expressed the hesitation she had about going forward with a contract with the Upper Valley Prosecutorial Association. She explained that she has since discussed it with the Police Chiefs in those towns. She stated that the Police Chiefs want this service and she feels the County should provide this service. She has stepped back to assess it. She gave the Commissioners a copy of the contract and stated that she hopes they would sign it. Atty. Hornick stated that Tuesday November 30th will be Atty. Pastore's last day and she will start with Hanover on December 1st. She has hired a new attorney, who was recently sworn in, and put out an Ad to replace Atty. Pastore. She noted that this contract is identical to the Plymouth Area contract. Commissioner Ahern stated that he could not sign a contract he was just given. He needs time to review it. CA Dorsett asked if the

contact was extended would that be ok. The Commissioners discussed it and requested an additional week to allow Commissioner Ahern time to review the contract.

Farm Manger Nelson arrived and gave the following report (*see attached)

Farm DoC Discussion with Supt. Elliott

Supt. Elliott stated that he and Farm Manager Nelson met last week with Chef Keith and discussed logistics on how beef could be processed in house. He reported that the Department of Corrections could fit 15 processed cows in house in their cold storage/freezers but noted that they are still unsure about processing the beef in house at this point. FM Nelson reported that PT Farms is local and can process the cows but the County is waiting to hear if there is an opening and an opportunity. He stated that he has reached out to a farm in VT and they are booking out into February and he also talked to a small slaughterhouse near Lyndonville and St. J. They are booking out into March as well. The next step would be to get onto a cancellation list.

Commissioner Ahern stated that New Hampshire law allows the Dept. of Agriculture to authorize its own meat processing within the state of NH; the federal USDA does not need to be involved. The NH Farm Bureau is in the process of getting legislation put in place to make changes to meat processing. He stated that they need a change in the law to allow Grafton County to process its own meat. Commissioner Piper asked Senator Guida if there was anything legislatively that could be done to address this issue or if any legislative change is likely to allow meat processing here on the complex. Senator Guida explained that the period of filing legislation has ended, however, what they would do would be to look for a bill that is related and attach this legislation to that bill. He reported that he has an agriculture bill that he is working on with Commissioner Jasper that they could put this on. He stated that he is not familiar with meat processing and would need to know what it is the County is looking to have changed. Commissioner Piper asked CA Dorsett if he would work with Senator Guida on this to be sure that Senator Guida gets the information that he needs. Senator Guida requested that the background information and what they are looking to have done be given to him and he will look into it.

FM Nelson asked if they are heading in a direction where they are having paid staff take care of farm chores. CA Dorsett stated that he has been having this conversation with FM Nelson and FM Nelson is going to be doing a calculation of hours. With the lack of inmate labor consistently available, they are going to need to look at the cost of having staff members perform these tasks. Once they receive that estimate, it will be given to Finance Director Libby to come up with an estimated cost for the next budget. The Commissioners and Delegation can then evaluate whether they want to move forward or not.

Supt. Elliott stated that if the County can find middle ground by having the meat processed elsewhere and storing 10-15 cows in house that would reduce the amount of beef by \$2/lb. He noted this would be a middle ground solution to a long-term project. Commissioner Lauer stated that if they can reduce the price of beef by \$2/lb. while they work to resolve these other issues, this might be something to consider doing.

Senator Guida noted that it might be worth looking into becoming certified, as a commercial meat processing facility and having that become a potential revenue stream.

Register Monahan arrived and the following report (*see attached)

NHA Labore arrived and gave the following report: (*see attached)

- 1) USDA Grant – Rural Development Grant Opportunity – NHA Labore stated that this grant is to help rural communities recover from COVID19. He explained that he saw this as an opportunity to reinstitute Sensio. He has had a discussion with Karen Geraghty from NCIC. She reviewed the grant and felt like they were a good match for it. He noted that the trouble was a cash match obligation but they are looking at another agency to help fund the match requirement. He feels that they stand a good chance at moving forward and collaborating with Strafford County on this project.
- 2) Assisted Living Study Proposal – NHA Labore reported that he is working with CA Dorsett on the RFP and hopes to send it out soon. Commissioner Ahern asked about the possibility of incorporating living space for nursing staff. NHA Labore stated that if this goes forward, the thought has been looking at the 2003 building as the Assisted Living, the 1969 that has the nursing units, using that for county space.
- 3) CMS Mandatory Vaccination Discussion – NHA Labore stated that he had sent the recap of the Zoom meeting from CMS to the Commissioners. Nursing Home staff members will have to have their first dose of the COVID vaccine by December 5th and be fully vaccinated by January 4th. He noted that he was expecting that there would be more exemptions. He stated that if an exemption were to be granted, that employee would have to be moved to a non-direct care position. CA Dorsett noted that there are only so many non-direct care positions available. He stated that if they accept CMS funding they will have to lessen or end some of the services they provide, as they will have to let employees go who are not vaccinated. NHA Labore explained that any contractor that comes into the facility is expected to be vaccinated as well. Senator Guida stated that their obligation is to the residents, that must be the overriding concern and that the loss of employees is the greatest risk. He went on to explain that the measurers NHA Labore has used so far without the vaccine are effective. The Covid threat is a lesser threat than the loss of employees. The bigger risk is the sustainability of operation. The data shows that what they were doing worked in protecting their employees. He would always come down on the side of caring for the residents.

Commissioner Piper stated that she does not know that the loss of employees is the the greatest risk to operations. She stated that the greatest risk is loss of Medicare and Medicaid funding that the Nursing Home is dependent on. She would prioritize this revenue as necessary in terms of the ability to deliver the services they are mandated to provide. What she is seeing in terms of news from the Dartmouth Hitchcock Medical Center and also the Merrimack County Nursing Home is that people are

getting the vaccine when faced with an actual job loss. Also, as the vaccine mandate is becoming widespread in the health care industry, individuals may be running out of options on where to go for employment. The question is whether the County's LNAs, LPNs and RNs have other employment or will it turn out that the threat of loss of staff is not realized. She stated that what would shut the Nursing Home down is losing their main payor source.

HR Director Clough stated that they have been preparing for this. They have looked at Dartmouth Hitchcock and Merrimack County. Merrimack County had very little kickback. It is common in the healthcare field to mandate vaccines. She stated that the County needs to be prepared and plan for the worse. Today, there is this mandate and they do not have a choice. Commissioner Lauer agreed, noting that losing workforce will hurt part of their operation, losing their funding will shut them down. While she does not agree with the mandate, she understands it.

CA Dorsett stated that with this decision, they are trying to manipulate a person with a religious belief or health condition and making them choose that over putting food on their table. He feels that the residents of Grafton County would support not mandating this. He further stated that there are no FDA approved vaccines currently available in the United States, all vaccines are under Emergency Use Authorization. It is experimental, except for Pfizer comirnaty, unavailable in the US.

NHA Labore stated that they have put the information out there regarding the vaccines for the staff, he has not prodded the staff, and he has let them all decide for themselves up until this point. This is a regulation that they have to follow, if they do not, the Nursing Home will be fined thousands of dollars per day, and then the denial of payment will come. Commissioner Lauer stated that they would follow the regulation; if CMS gives them leeway in a few weeks they celebrate but do not incur fines.

HR Director Clough handed out the vaccination policy to the Commissioners for their review and approval. NHA Labore stated that they are going to have to look into changing how they do things at the Nursing Home, as they will not be able to have contact with unvaccinated staff and or people coming into the facility. He noted that this includes Nursing Home staff leaving the facility to go to another department; they would not be able to hold conversations with unvaccinated staff. Commissioner Ahern stated that he is not sure why they are not concerned about the consequences that can come from this. He cannot support this policy; it is a violation of basic freedoms. NHA Labore stated that he could have moved forward with a mandatory policy earlier but he did not. He was hired to adhere to the regulations and to run the Nursing Home. His license through the state of New Hampshire requires him to stay in compliance and he is doing his job. The Commissioners further discussed the policy.

MOTION: Commissioner Lauer moved to adopt the Covid 19 Vaccination Policy as required by CMS. Commissioner Piper seconded the motion. Commissioner Piper called

the roll. Commissioner Lauer “yes”, Commissioner Ahern “no”, Commissioner Piper “yes”. With the vote being two (2) in favor and one (1) in opposition the motion passes.

NHA Labore noted that he is concerned about the exemption status and how they grant them. If they have to have employees reassigned to non-direct care positions, it will take creative thinking to keep them whole.

Alternative Sentencing - Director DePalo

1. AS Director DePalo reported that the Lebanon Police Department has put a 10% increase in their budget to cover the retirement plans, increase in gas costs and normal increases in wage for merits. She stated that the Democratic Socialists of America went to the meeting as well and requested a 45% decrease in the budget, citing the need for more mental health services and less police presence. She has been meeting with the Lebanon Police Department and she asked the Commissioners if there is a way that they could take a stance regarding defunding the police departments and showing their support. The Commissioners discussed it and agreed that they are supportive of the Police Departments. They requested more information from AS Director DePalo that would help them to figure out how to weigh in on the discussion.

2. Case Manager – AS Director DePalo reported that due to the COVID-19 pandemic and the current workforce shortage, the largest two of the three Mental Health Agencies have determined they cannot fulfill the contract requirements for case management. Thus, they have sent a 30-day request to terminate their contracts. AS Director DePalo stated that a new position needs to be approved by the Commissioners. Without a case manager, they are unable to support the severe and persistent mentally ill population they serve. This case manager position is pertinent to the program and aids in decreasing mental health issues as well as criminal behavior; with this aspect gone, we can assume mental health issues will increase and there is potential for increased criminal behavior.

AS Director DePalo explained that she currently budgets \$29,000 per Mental Health Agency, decreasing two mental health agencies will free up \$58,000 for FY23 as well as \$36,032 for FY21 (current budget). The case manager salary will not be more than the remaining balance for FY21 or the total balance for FY23. Therefore, there will be no fiscal impact for GCAS budgets or county funds.

AS Director DePalo answered further questions from the Commissioners.

MOTION: Commissioner Ahern moved to approve hiring a full time case manager for Mental Health Court under the supervision of the Alternative Sentencing Director. Commissioner Lauer seconded the motion and all were in favor.

CA Dorsett requested a nonpublic session.

MOTION: * 12:21 PM Commissioner Ahern moved to enter into non-public session per RSA 91-A: 3, II (c) for the purposes of matters which, if discussed in public, would likely affect

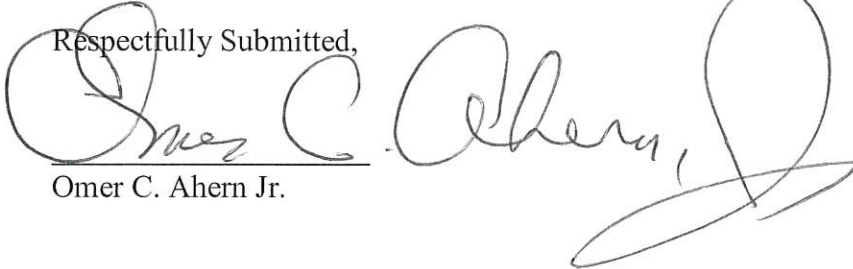
adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant. Commissioner Lauer seconded the motion. This motion requires a roll call vote. Commissioner Piper called the roll. Commissioner Ahern "yes"; Commissioner Piper "yes"; Commissioner Lauer "yes". Commissioner Piper stated that a majority of the board voted "yes" and would now go into non-public session.

* 12:26 PM Commissioner Piper declared the meeting back in public session.

MOTION: 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 Lauer seconded the motion. Commissioner Piper called the roll. Commissioner Ahern "yes" Commissioner Piper "yes"; Commissioner Lauer "yes". Commissioner Piper stated that a majority of the board voted "yes" and would now return to public session.

12:27 PM With no further business, the meeting adjourned.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Omer C. Ahern Jr.", written in black ink. The signature is fluid and somewhat stylized, with a large loop at the end.

Omer C. Ahern Jr.

November 2021 Farm Report

1. There are currently 71 milking cows averaging 77 pounds of milk per cow. The milk components are 3.68% butter fat and 3.10% protein. We received \$18.45 per hundred weight for October milk.
2. Inmate labor continues to be low. 1 inmate is available for milking chores.
3. 11 cows and 3 heifers are due to calve this month.
4. 37 acres of 5th cut haylage was harvested October 24th.
5. The manure pit is empty.
6. The potatoes are all harvested. Only a little bit of sorting and bagging work remains.
7. The feed mixer wagon was repaired by Robco. The lower 4 feet of the sides were plated with steel. Hopefully this repair will extend the life of the mixer wagon a few years.
8. The County Farm is ready to supply beef to the DOC. Scheduling processing of the beef could take some time at this point.
9. I will be sharing an office space with Commissioner Ahern. County Administrator Dorset and I will be meeting bi-weekly to work on FarmDOC.

Respectfully Submitted,

Grant Nelson

Farm Manager

Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
November 8, 2021

October Revenue

County Revenue 10/2009	\$ 88,009.46	State Revenue 10/2009	\$ 748,325.26
County Revenue 10/2010	\$ 91,984.83	State Revenue 10/2010	\$ 704,528.64
County Revenue 10/2011	\$ 78,351.22	State Revenue 10/2011	\$ 539,096.64
County Revenue 10/2012	\$ 84,256.55	State Revenue 10/2012	\$ 520,142.41
County Revenue 10/2013	\$ 84,709.25	State Revenue 10/2013	\$ 674,817.60
County Revenue 10/2014	\$ 81,232.12	State Revenue 10/2014	\$ 669,905.28
County Revenue 10/2015	\$ 84,200.73	State Revenue 10/2015	\$ 699,200.69
County Revenue 10/2016	\$ 87,719.57	State Revenue 10/2016	\$ 763,901.76
County Revenue 10/2017	\$ 99,941.02	State Revenue 10/2017	\$1,014,577.92
County Revenue 10/2018	\$ 98,232.81	State Revenue 10/2018	\$ 906,275.36
County Revenue 10/2019	\$ 97,040.91	State Revenue 10/2019	\$ 946,066.56
County Revenue 10/2020	\$141,838.79	State Revenue 10/2020	\$ 1,567,920.56
County Revenue 10/2021	\$133,906.94	State Revenue 10/2021	\$ 1,645,664.64

Foreclosures

2009 149 year to date
2010 184 year to date
2011 178 year to date
2012 159 year to date
2013 136 year to date
2014 129 year to date
2015 93 year to date
2016 92 year to date
2017 64 year to date
2018 45 year to date
2019 68 year to date (+280 in one day time share foreclosures)
2020 5 year to date
2021 3 year to date

1. I have accepted appointment to NACo National Association of Counties Finance, Pension and Intergovernmental Affairs Board. I have attended the first and second monthly remote meetings. Presently much of the discussion is on ARPA funding. They have announced a 50 State analysis project which will focus on all aspects of County Government including all roles, finance, emergency preparedness and response. On Friday I attended a Department of Labor Zoom meeting that outlines the proposed vaccination mandate for all employers over 100 people.
2. The vendor working with SNS, have completed the installation of our back-up internet connection. Should our primary vendor experience an outage we will be able to continue to record using this back up line from a second vendor.
3. Having lost access to the county internal accounting program in May 2020, SNS found a workable solution for us and set up a used station dedicated solely to the accounting program

Infinite Visions which will enable us to verify expenses paid by the Finance Department. We handle all of our own accounts receivable which is complicated by e-recording.

4. US Imaging is scheduled for November 30-December 9 for the historic book scanning project. I have reached out to C.A. Dorsett and Maintenance Superintendent Oakes on details regarding access to the building. Our Research Room will be closed to the public during this period. We will have one stand-up station for updating only during this time. I will have posted notice at our counter and on both Grafton County website and NHDeeds.org, our official website.
5. As Department Heads begin their budget preparations, I would like to know how Grafton County budgets for the employee earned liabilities should we be faced with an early retirement. Is this figure calculated into our budget but funded by a line item transfer from another source?
6. Our dialogue with NHLSA New Hampshire Land Surveyors Association and NH Planning Division has continued to be productive and positive and has resulted in a joint webinar training for the NH Planning Boards that will have representation from our three stakeholders groups and a representative from the NH Municipal Association. This webinar training is scheduled for December 16, 2021. I will be speaking on behalf of NHRD Association as President. This is something that I have been focused on for many years as a way to decrease friction at the counter and increase comprehension at the local volunteer board level.
7. I held the Annual NH Register of Deeds meeting via Zoom rather than in person at the NHAC Conference. With short staffing, increase work load and the reality of COVID, my Vice President and I believe that this is the best choice for our affiliate.

Respectfully submitted,

Kelley J. Monahan
Register of Deeds

Grafton County Nursing Home Commissioner's Report: November 08, 2021

Census

Medicare: 2
Medicaid: 79
VA: 2
Hospice: 0
Private: 21
Total: 104

FY '22 Budgeted Census:

Medicare: 3
Medicaid: 89 (Daily rate= \$212.62)
VA: 1
Hospice: 0
Private: 22
Budgeted Census: 114

Monthly Admissions/Discharges

Admissions: 1
Deceased Residents: 1
Discharges: 0

Other Topics:

- 1) USDA Rural Development Grant Opportunity
- 2) Assisted Living Study Proposal
- 3) CMS Mandatory Vaccination Discussion