

GRAFTON COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Highway
North Haverhill, NH 03774
August 10th, 2021

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

OTHERS PRESENT: Broadband Committee – Nik Coates, Brigitte Codling, Carina Park, FM Nelson, County Attorney Hornick, Finance Director Libby, Katelyn Robinson – NCIC,

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

Commissioner Ahern participated electronically according to RSA 91-A: 2 with the reason being he was unable to attend the meeting in person. Electronic participation was at his request. It was noted that all votes must be taken by a roll call.

Broadband Committee – Nik Coates, Brigitte Codling, Carina Park, Katelyn Robinson – NCIC

CA Dorsett stated that the Broadband Committee met this morning to finalize their recommendations to the Commissioners.

Nik Coates stated that they have decided on a basic design for a broadband network to go into every town hall in the county. They want to make every town have the ability to plug into a network. He explained that the Committee has been working over the last year to assess what the best business model is, the funding model, cost estimates, etc. They were going to ask the Commissioners to fund a level of support through ARPA funds or other sources. He went on to state that the Committee became aware of a grant opportunity with the National Telecommunications Information Administration through the US Department of Commerce. This is a federal grant program called the Broadband Infrastructure Program. The last time New Hampshire received a NTIA grant was 2008, when they built the infrastructure to connect all of the Universities, Community Colleges, state agencies and the counties together. N. Coates explained that they could apply for \$5 million up to \$30 million. There is no match requirement but there is a component that if the County wanted to put matching funds in, there are additional points available.

N. Coates stated that the application is due August 17. He explained that the Committee has been planning for this opportunity for the last year to ensure that they were ready to go if the opportunity became available and the Commissioners approved it. He stated that the Committee went through an RFP process to find a firm to work with for this project to bring in a level of design, construction, operations and management as well as fundraising to help identify the funds to go forward with this project. The Committee is ready to bring forward that recommendation to the Commissioners. N. Coates stated that the Committee also has a request to see if the Commissioners would allow them to go forward with the grant application for the

NTIA program as well as setting up an interim Memorandum of Understanding with that company. This would allow the County to get out of the relationship if they felt the need to. He explained they wanted to structure a relationship outside of a contract until a contract were to be put in place. The Town of Bristol's council drafted this MOU. N. Coates stated that the following three items are requests they are bringing to the Commissioners:

1. Apply for the NHIA Grant
2. Enter into an MOU with selected firm
3. Have the MOU in place

Commissioner Lauer applauded the Broadband Committee for the work they have done to prepare for this opportunity. The whole idea is to get a grant to cover the costs to establish this backbone for the project. Commissioner Ahern noted concerns with the RFP. He stated that he was surprised that the RFPs were received on such short notice and questioned how accurate they can be. He noted that he is also worried about liability of the Commissioners in how some of them are written.

CA Dorsett stated that the RFP was based off a model from other municipalities. N. Coates stated that he is unsure of it at the County level but believes it is the same as the towns, where the Commissioners have immunity under an RSA. As elected officials, they are bonded under their RSA as well as an immunity under the law.

Commissioner Piper stated that she thinks that the County is now fulfilling a vision and a project that the County set out to do. She stated that they have a County Administrator with the skills to get this done. As an elected official, she is going to rely on the people who have the expertise in this field. Commissioner Lauer stated that she is very much in support of this application as broadband is critical in this area. She respects the work that has been done in Bristol and the expertise the committee brings. N. Coates stated that the committee heard loud and clear to find dollars somewhere else to accomplish this task and this is their opportunity to do so. Commissioner Piper noted that this is an opportunity to increase revenue for taxpayers by possibly spurring economic development. She supports the benefits that digital access can bring to their constituents.

Commissioner Ahern stated that he agrees 150% with the need for this broadband. He is concerned about the fact he was given six (6) days to review this. There is a shortage of notice for him as a Commissioner who is responsible for many towns. He is concerned with a number of things and wants to have his concerns addressed.

K. Robinson noted that it is important to remember they are at the application stage; they are not looking to spend money at this time or enter into a contract. That gives the Commissioners more time to understand this process and learn about the company. There will be more checks and balances coming down from the government to insure that things will not *fall* back on the county. She stated that there is more time to make sure that all of the Commissioners' questions are answered.

Commissioner Piper said she wanted to clarify the process for all the Commissioners. She asked for the reason that the RFP came so quickly. She asked about the process that was taken and why the Commissioners did not vet the RFP. CA Dorsett stated that he was following county policy that states the County Administrator has the authority to submit an RFP. He stated that in regards to the time allotted, the firms that are dealing with these highly technical projects, they have staff on hand that handle creating proposals. He does not feel that the timeframe was unreasonable. In the private sector, they are geared towards these kinds of responses. B. Codling noted that the expectation of these companies is that they know Grafton County and the technology and are ready to go. N. Coates noted that these grant opportunities typically have short windows of opportunity. The committee caught wind of the process on the later end of it and the deadline was coming up. Commissioner Piper stated that the committee is fulfilling the Commissioners' request. N. Coates stated that all members of the Broadband Committee are also Town Managers; they are doing this in their free time. In regards to the short notice, they are trying to run their towns as well and do not have much time to put these things together.

1. MOTION: Commissioner Lauer moved to authorize the county to submit an NTIA Broadband Infrastructure grant application for up to \$30 million. Commissioner Ahern seconded the motion. Commissioner Piper called the roll. Commissioner Lauer "yes", Commissioner Ahern "yes" Commissioner Piper "yes". With the vote being three (3) in favor and none in opposition the motion passes.

2. MOTION: Commissioner Lauer moved to executive an MOU between Grafton County and the recommended broadband provider. 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.

3. MOTION: Commissioner Lauer moved to enter into a MOU with EX2 Technologies. 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.

N. Coates noted that September 21-23rd they would be having listening sessions for these projects in Haverhill, Lebanon and Campton.

Commissioner Ahern noted that he appreciates the work that is being done by the Broadband Committee but as N. Coates stated, the Town of Bristol took three (3) years to make its decision. N. Coates noted that it took three (3) years to prepare the work. K. Robinson explained that the Town of Bristol had the hard job of trying to figure out how this process works and now Grafton County is benefitting from it by being able to move through the process quicker.

FM Nelson arrived and gave the attached report:

FM Nelson stated that he still does not have their biggest tractor back from the shop yet and it has been over a month.

He stated that he is not sure what is in the pipeline for their barn crew in terms of inmates but right now, they are comfortable. They have a minimal level of comfort but it's working for now. Commissioner Lauer asked where the farm was currently selling their eggs. FM Nelson stated that they are selling eggs out of their fridge as well as at Aldrich's.

Commissioner Ahern asked if FM Nelson has done anything to implement FarmDoc. FM Nelson stated that he is working with someone from UNH on a farm collaborative to figure out the economic feasibility for FarmDoc. He has to gather more information on call rate and income from live stock sales but he thinks they are moving in a direction towards FarmDoc. They are in the planning phase. Commissioner Ahern stated that time is not with them. They have an existing infrastructure at the County Farm and ARPA money should be available for items such as the dairy processing box trailer. He asked FM Nelson if he has had a chance to look at the Sysco invoices that come from the DoC to see what they use and if some of it can be produced on the farm. FM Nelson stated that he has not discussed that with Supt. Elliott since March.

County Attorney Hornick arrived and gave the following update on her office:

1. Atty. Hornick noted that she was having a hard time filling a vacant Assistant County Attorney position.

2. Atty. Hornick stated that her staff has had some questions regarding COVID masks and required vaccinations. Commissioner Piper stated that the Commissioners had a conversation with NHA Labore who is very concerned that a vaccine mandate could be issued from the federal level and the board would have to make a decision regarding that; the opinion is that federal funding would end if the mandate were not instituted. She noted that the delta variant is being talked about now, but the Commissioners have not discussed any mask mandate, yet. Individual department heads can require masks and anyone who feels more comfortable can wear them. Commissioner Ahern stated that he thinks about this issue of what is going to happen with vaccine mandates often. He attended a brief seminar on it. He is a believer and supporter of people's rights and is aware of the concerns expressed by NHA Labore. Commissioner Lauer stated that this is an evolving situation; right now, she is in agreement that there is no need to do anything besides keep an eye on the situation.

3. Atty. Hornick noted that her office has not seen any glitches in the shift of the IT services and that it seems to be seamless.

4. She stated that she may possibly be looking to secure a couple of laptops loaded with everything incase support staff needs to go work remotely. She noted that this may be a good idea to look into further.

Atty. Hornick requested to go into nonpublic session to discuss personnel.

MOTION: * 10:22 AM Commissioner Lauer moved to enter into non-public session for the purposes of The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting

be open, in which case the request shall be granted according to RSA 91-A: 3, II (a) Commissioner Ahern seconded the motion. This motion requires a roll call vote. Commissioner Piper called the roll. Commissioner Lauer “yes”; Commissioner Ahern “yes” Commissioner Piper “yes” Commissioner Piper stated that a majority of the board voted “yes” and would now go into non-public session.

* 10:45 AM Commissioner Piper declared the meeting back in public session.

MOTION: Commissioner Lauer 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 Ahern seconded the motion. Commissioner Piper called the roll. Commissioner Lauer “yes” Commissioner Ahern “yes” Commissioner Piper “yes”. Commissioner Piper stated that a majority of the board voted “yes” and the motion passes.

MOTION: Commissioner Lauer moved to develop a contract between the County Attorney’s Office and the Upper Valley Prosecutor’s Association, such that supervision would be by the County Attorney’s Office but all costs would be borne, through contract, by the Upper Valley Prosecutor’s Association. Commissioner Ahern seconded the motion.

Discussion – Commissioner Ahern asked to confirm that there is there is going to be no cost to the County in any way. Atty. Hornick stated that there would be no financial extra cost to the county with what she is proposing.

Commissioner Piper called the roll. Commissioner Lauer “yes”, Commissioner Ahern “yes” Commissioner Piper “yes”. With the vote being three (3) in favor and none in opposition the motion passes.

Agenda Items:

1. Finance Director Libby arrived to discuss the Intergovernmental Agreement – Transfer of Public Funds with the Commissioners. She explained that this process was put into place last year by CMS for the County Cap and the payments that the County makes to the state. This agreement says that the County certifies that the money used to pay the Cap is not federal money that the County receives. FD Libby noted that the County collects \$26 million in taxes and the cap is \$7 million and therefore the cap is not paid with federal funds. This language is identical to the language the Commissioners signed last year, other than the updates for the fiscal year.

FD Libby explained that the cap is based on a three (3) year rolling average of claims and she does not have the number for the cap when she prepares the budget. The cap for FY22 came in higher than what they budgeted for. There is now an \$189,371 deficit in the budget. FD Libby stated that she would have to monitor the budget and see if she will be able to find the money. If they cannot find the funds in the budget, she will have to request a supplemental appropriation transfer to get the funds from the surplus.

She stated that DHHS would like this back before next Wednesday. She is requesting that the Commissioners approve the agreement and give CA Dorsett authority to sign it.

MOTION: Commissioner Lauer moved to approve Intergovernmental Transfer Agreement and authorize the County Administrator to sign the document. Commissioner Ahern seconded the motion. Commissioner Piper called the roll. Commissioner Lauer “yes”, Commissioner Ahern “yes” Commissioner Piper “yes”. With the vote being three (3) in favor and none in opposition the motion passes.

2. FD Libby submitted the Professional Services Agreement and the three (3) subrecipient agreements with WREN, BEDC and NCIC for Commissioner Piper to sign.

3. The Commissioners signed check registers 1016; 1018-1021, 2021-08.06.2021.

Commissioner Issues:

1. Commissioner Ahern stated that he attended the presentation on mask and vaccine mandates and found it very interesting.

2. Commissioner Lauer stated that she has been in contact with someone from Bethlehem who was looking to find out how the Town of Bethlehem could ask for ARPA funds from the County for their solar project. She explained that the Commissioners have not made any decisions about distributions to individual towns and are currently looking at projects that would benefit the county as a whole but she is welcome to reach out to CA Dorsett to discuss the project.

3. Commissioner Piper received an invitation from Pease Air National Guard Base that went out to a representative from each county to attend the KC-46 Naming Ceremony on September 12th. The 157th Air Refueling Wing will be naming one of their KC-46 Pegasus Tanker Aircrafts in honor of Grafton County. Commissioner Piper stated that she would accept the invitation.

11:23 AM with no further business, the meeting adjourned.

Respectfully Submitted,



Omer C. Ahern, Jr
Clerk

1. There are currently 78 milking cows averaging 83 pounds per cow of 3.93% butter fat and 3.13 protein. We are shipping around 12,800 pounds of milk every other day. The milk pay price for Grafton County Farm for July was \$19.25 per hundred weight.
2. The piglets are growing well and some are already weaned and ready to be sold. 5 older sows were traded for 6 young gilts that will hopefully be breeding size by late fall.
3. The third cutting of hay on the Island and the trial cover crop were completed between July 23-29. The third cutting of hay was noticeably heavier than second cut. The second cut of hay on Bancroft was dried for square bales and baled on August 6&7th yielding 1200 bales.
4. The Farm Stand is now open with sweet corn and farm fresh eggs for sale.
5. The potatoes are looking good and were sprayed to protect against insects and blight for the last time on August 4th.
6. The manure pit is nearly empty again.
7. The Valmetal Mixer wagon is showing significant signs of metal fatigue. The lower 1/3 of the tub will need to be plated with steel.

Respectfully Submitted,

Grant Nelson

Farm Manager