

GRAFTON COUNTY COMMISSIONERS' MEETING
Administration Building
North Haverhill, NH 03774
September 12th, 2023

PRESENT: Commissioners Piper, Ahern, and McLeod, County Administrator (CA) Libby, Assistant County Administrator Burbank, Administrative Assistant Norcross.

OTHERS: Helen Mrema, Register of Deeds Monahan, Interim Farm Manager White, Lakes Region Planning Commission – Jeff Hayes/Tracey Secula

Commissioner Piper called the meeting to order at 10:00 AM and began with the Pledge of Allegiance.

Jeff Hayes & Tracey Secula – Lakes Region Planning Commission (LRPC)

J. Hayes explained that the New Hampshire (NH) Charitable Foundation has created a new Community Development Block Grant (CDBG) program, a Transformational Planning grant program. The NH Charitable Fund wants transformational planning projects to help the housing supply. He explained one (1) of the things this grant could be used for is helping towns with sewer and water projects and renewable energy projects that could lower utility bills. He stated that the NH Charitable Foundation has put \$200,000 on the table for a pilot project and has approached all the Regional Planning Commissions in the state, encouraging them to apply. The Regional Planning Commissions would like to have (2) applications for the whole state. The Southwest Regional Planning Commission has gone to Cheshire County and was given permission to apply for four (4) or five (5) Regional Planning Commissions in the southern part of the state. J. Hayes stated that LRPC is asking Grafton County to submit an application that includes the four (4) Regional Planning Commissions in the northern part of the state.

Commissioner Ahern stated that there has been a lot of money going into planning over the years. He asked how much low-income housing has been built in Grafton County. J. Hayes stated that he does not have a number, but it has not been enough. He noted that this CDBG program spends little of its money on the planning process. Commissioner Ahern noted that there is a house committee in the NH Legislature looking into slightly used nuclear fuel. This will create energy that is too cheap to meter.

Register of Deeds Monahan was present at the meeting and stated that five (5) years ago, there was a huge push for the tiny house movement. The problem with the tiny house movement was the regulatory aspect of composted toilets, sewer, and local zoning. The New Hampshire Home Builders Association came down just as hard as the Department of Environmental Services (DES) did. DES did not want composting toilet waste. She explained that there are so many properties in Grafton County on large lots. Still, it was the regulatory aspect of the sewers on the tiny homes and the home builders wanting to build four (4) – five (5) bedroom houses because that is where the profit margin is. She stated that this does not serve the need. It serves the profit margin.

The Commissioners and J. Hayes further discussed the need for housing and its challenges.

MOTION: Commissioner Ahern moved to support the Transitional Planning project CDBG application. Commissioner McLeod seconded the motion, and all were in favor.

T. Secula stated that this is a similar timeline as the other CDBG grants the County handles. There is a rolling application period. She noted that she would organize a public hearing for the Commissioners soon.

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

Register of Deeds Monahan

Register Monahan stated that she would like to speak about the document from her ARPA project that the Auditors have requested. She stated she had the documentation and spoke with the Auditor on Friday. Register Monahan explained that they decided to settle on the original Fidler quote. This was approved as part of the budget in FY21, and she has the chain of emails from June 2022 from CA Libby confirming this. The original quote went through the full budget cycle, and the auditor said that was acceptable. This project was started in January 2021. She noted concerns about the website and archived Executive Committee minutes from FY2022 that were missing when this project was approved, and she believes this has led to some of the problems the County is currently having. She noted that she and the auditor are all set.

CA Libby asked to speak about this issue. CA Libby stated that she is fully aware that this was a budgeted project in the prior fiscal year. She has no documentation of the Fidler quote. A budget was presented with a number from Fidler, with no quote ever submitted. She stated that is the only problem she needed to be resolved for the auditors. There are no issues with the minutes regarding this issue. She stated that a copy of this quote has been asked for four (4) times. Register Monahan stated that the first time this request was submitted, there was no reference to which Fidler project was being requested. She explained that she had staff out on vacation in July, and then she was out on vacation. When she returned, she started dealing with what the Auditors were looking for. Register Monahan stated that this documentation is being sent to the Auditors, and she will copy CA Libby in it. She stated that it is simple to look back at an email chain to a date and find the email correspondence.

Register Monahan stated that she also wanted justification for why another vendor is not being paid. She explained that Thursday makes 30 days on the Kofile bill of \$209,000. CA Libby responded by stating that Register Monahan has all the documentation for why that bill has not been paid. It was sent in writing two (2) weeks ago. Register Monahan stated that CA Libby is holding up paying Kofile because of the Auditors. CA Libby stated that this is not because of the Auditors. She explained that the County is not paying Kofile because Register Monahan did not follow the proper procurement process before a contract was executed with Kofile. CA Libby stated that was fully explained in the letter that was sent to Register Monahan. Register Monahan stated that it also states that the County has an override authority on that. Register Monahan explained that this process all happened so quickly because the first vendor dropped out. She stated that no other Register of Deeds in New Hampshire had anyone respond to an RFP for this.

Register Monahan stated that they did not get a bid waiver. CA Libby stated that in the letter that was sent to Register Monahan, she asked Register Monahan to provide to her, in writing, the process that was followed and why the proper procurement process was not followed. CA Libby stated that as of today, she has not received any response. CA Libby explained that the County was in the middle of their yearly audit, and these issues have come up through that process. Register Monahan stated that no bid waiver was requested because it was the only vendor able to do this project. She did not request a waiver because she thought that everyone knew that Kofile was the only vendor to go to on this type of project. Commissioner McLeod asked how much time Register Monahan would need to provide the documentation needed to rectify this. Register Monahan replied by stating that there is no bid waiver. There were two (2) unanimous votes over an eleven (11) day period by the Commissioners and the Executive Committee for this project. Commissioner McLeod noted that those votes were for the funding but not for the vendor. Commissioner McLeod further explained that when there is a sole vendor for a project, the Commissioners vote and explain why they are waiving the bid. She noted that it must be a unanimous vote as well for bid waivers. She stated that the Commissioners need that request from Register Monahan to make that vote. Register Monahan stated that she had sent all that information to CA Libby throughout the whole process. She asked if a retroactive memo requesting this bid waiver would get Kofile paid through ACH today. CA Libby stated that it would not get Kofile paid via ACH today. CA Libby noted that because Register Monahan was on vacation and chose not to take care of the request from two (2) weeks ago, it does not mean CA Libby has to jump through hoops today to get this bill paid. Register Monahan stated that the County is jeopardizing the Register of Deeds' relationship with this vendor. Commissioner McLeod stated that they do not want to jeopardize the relationship with this vendor. They are ensuring that the proper process has been followed and the County will not have a finding on future audits.

Agenda Items:

1. Commissioner Piper asked if everyone had a chance to read the minutes from the September 5th meeting. Commissioner Piper had the following corrections:

Page 1, First Paragraph – The sentence “HR Director Clough stated that during the budget season, a discussion was had regarding establishing a committee that consisted of employees, union members, and administration to look at the County’s benefits and get feedback on what might be a better selling point or what employees may be looking for” was changed to “HR Director Clough stated that during the budget season, a discussion was had regarding establishing a committee that consisted of employees, union members, and administration to look at the County’s benefits and get feedback on what might be a better selling point for prospective employees or what employees may be looking for.

Page 2, Item #1 – The sentence “NHA Labore stated that last Wednesday, this report contradicted what President Biden and CMS had been saying all along, that there is no set standard” was changed to “NHA Labore stated that last Wednesday, this report contradicted what President Biden and CMS had been saying all along, that there is no set standard to ensure quality of care.”

MOTION: Commissioner McLeod moved to approve the minutes from September 5th as amended. Commissioner Piper seconded the motion, and all were in favor. Commissioner Ahern abstained.

2. Farm Bureau Annual Meeting – CA Libby informed the Commissioners that the Farm Bureau Annual Meeting will be held on September 27th at Hatchland Dairy. Commissioner Ahern stated that he would be attending.

3. CDBG Drawdowns – CA Libby submitted the following drawdowns from the Coos Economic Development Corporation (CEDC) for Commissioner Piper to sign:

- a. Micro – CEDC - \$2,401
- b. Micro - CEDC - \$1,740

4. National Telecommunications and Information Administrations (NTIA) – CA Libby reported that the County has been awarded \$11,969,000 in a federal grant from NTIA. This grant is for a \$17.1 million broadband middle mile project with a \$5.1 million cash match required from the County. Yesterday, the Broadband Committee met and identified some of the next immediate steps. She noted that the Broadband Committee meeting did not include Ex2 Technologies, who was hired as the vendor to build out this network and have worked with the Broadband Committee throughout the planning process. CA Libby stated that she has a meeting scheduled with Ex2 on Monday, anticipating that the Broadband Committee will come to the Commissioners with an explanation and request that they accept the grant on Tuesday.

CA Libby stated that she wanted to review the financial piece of the grant with regard to the \$5.1 million match and what that means for the County going forward. She explained that the County has an undesignated fund balance of \$10,144,994 or 18% of the operating budget. If the Commissioners used \$5.1 million of fund balance for the grant match, it would drop the percentage to 9.33%, which is at the low end of the County’s fund balance policy. Her concern is that the County just saw a decrease of close to \$1 million in the overall fund balance, and many of the financial issues that caused that decrease still exist today. CA Libby expressed concerns about using the full \$5.1 million from the surplus. She suggested the idea of using \$2.5 million from the surplus, which would leave the fund balance at 14.22%, and then bonding the remaining \$2.5 million. CA Libby explained that the next bond sale is in January, with the application being due in October. She has looked at the schedules for five (5) and ten (10) year bonds. She noted that this would result in an increase in the FY25 budget, and the first bond payment on a five (5) year bond would be \$600,000.

Commissioner Piper stated that one (1) complication is that the Federal Delegation announced Grafton County receiving this grant before the grant has been accepted at the County level. She added that another concern of hers is CA Libby’s comment last week, asking if this serves the residents of Grafton County because it is still up to the towns to deliver it to homes. CA Libby stated that one of the things the Broadband Committee discussed yesterday was how the focus of the middle mile network is getting it to the anchor institutions, such as libraries, schools, and municipalities, in 22 towns in Grafton County. Tim Egan stated, in that meeting, that they cannot get broadband directly to homes, but they are getting it into the communities. CA Libby added

that the County has paid \$3 million for the last mile design for those communities to take those plans and build out the last mile. Through an RFP process, the County would contract with one (1) or more internet providers, and the middle mile infrastructure will be a Grafton County-owned asset. Commissioner Piper noted concerns about going to the County taxpayers for a bond. She asked if the County were not to accept this money what investment has been made that can be acted upon. CA Libby explained that the County has spent almost \$4 million on the middle-mile design and last-mile design. Without the middle-mile infrastructure, the last-mile design may not be able to be fully implemented, as it was designed predicated on the middle mile. Commissioner Ahern expressed concerns about not wanting to duplicate any services and noted that New Hampshire Electric Co-op will cover many towns. CA Libby stated that NHEC covers some towns, but not many will be fully covered.

CA Libby stated that the County would need to bond relatively quickly, and they would need to have the Delegation meet to approve this. The Commissioners further discussed the grant and the upcoming discussion with the Broadband Committee. They agreed to hold a separate meeting on Thursday, September 21st to meet with the Broadband Committee.

5. Non-Public Session per RSA 91-A:3, II (b)

MOTION: * 11:36 AM Commissioner Ahern moved to enter into a non-public session for the purposes of the hiring of any person as a public employee according to RSA 91-A: 3, II (b). 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.

*11:47 AM 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 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.

6. Non-Public Session per RSA 91-A:3, II (a)

MOTION: * 11:47 AM Commissioner Ahern moved to enter into a 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 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.

*11:49 AM Commissioner Piper declared the meeting back in public session.

MOTION: Commissioner McLeod 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 Ahern “Yes”, Commissioner McLeod “Yes,” Commissioner Piper “Yes”. Commissioner Piper stated that a majority of the board voted “yes,” and the motion passes.

MOTION: Commissioner McLeod moved to unseal the minutes from the February 28th nonpublic session with Sheriff Stiegler. Commissioner Ahern seconded the motion, and all were in favor.

5. Non-Public Session per RSA 91-A:3 II (b) @ Department of Corrections

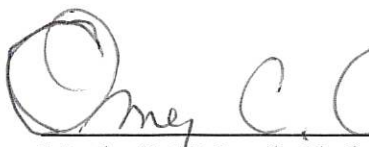
MOTION: * 12:00 PM Commissioner McLeod moved to enter into a non-public session for the purposes of the hiring of any person as a public employee according to RSA 91-A: 3, II (b). Commissioner Ahern seconded the motion. This motion requires a roll call vote. Commissioner Piper called the roll. Commissioner 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.

*3:50 PM Commissioner Piper declared the meeting back in public session.

MOTION: Commissioner McLeod 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 Ahern “Yes,” Commissioner McLeod “Yes,” Commissioner Piper “Yes.” Commissioner Piper stated that a majority of the board voted “yes,” and the motion passes.

3:50 PM With no further business, the meeting adjourned.

Respectfully Submitted,


Martha S. McLeod, Clerk

For
Comm. Martha S. McLeod, Clerk

September 2023 Farm Report

1. There are currently 60 cows milking, averaging 75 pounds per cow. We produced 136,000 pounds of milk for the month of July. Components were 4.01% butterfat and 3.15% protein. The milk pay price in January was \$19.47 for Grafton County Farm.
2. All the sows have farrowed for the year. Looking to purchase a boar to replace the one we have used for the last two years. Keeping around a dozen females to replace the older ones that we have. Chickens are still producing very well.
3. The farmstand is now in full swing. Sweet corn is just about finished. Potatoes are being harvested and look really good this year. Fall squashes and pumpkins are ready as well.
4. Still fighting the weather to finish up second cutting. We were able to finally finish the island and third cutting is ready now. Hopefully, we can harvest some third cut. We have plenty of feed and over 3000 square bales so far. The cow corn looks great and should be harvested in the next couple of weeks.

Respectfully Submitted,

Ben White

Interim Farm Manager