

GRAFTON COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Hwy
North Haverhill, NH 03774
February 11, 2014

PRESENT: Commissioners Mike Cryans, Martha Richards, Linda Lauer, Executive Director Julie Clough and Admin Assistant S. Norcross.

Commissioner Cryans called the Meeting to order at 9:05AM and began with the Pledge of Allegiance.

FM Kimball arrived and gave the following report:

- 1) We are milking 76 cows and shipping 12,000lbs. That is an average of 79 pounds of milk per cow.
- 2) I am going to be participating in two meetings, one is Soil Health and the other is Fall Cover crops. These will allow me to receive six credits for my pesticide license. One is in Concord and the other is in Lancaster.
- 3) It has been a long and frigid winter. I ordered potatoes for this coming planting season.

ED Clough asked what FM Kimball if he had to do anything different with the area that the potatoes were planted last year due to late blight issue. He stated that he will be moving them around, not planting them in the same place. He will be planting corn in that space.

RD Kelley Monahan arrived and gave the following report:

**Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
February 11, 2014**

January Revenue

County Revenue 1/2009	\$52,410.89	State Revenue 1/2009	\$271,090.56
County Revenue 1/2010	\$57,423.27	State Revenue 1/2010	\$339,951.36
County Revenue 1/2011	\$68,696.84	State Revenue 1/2011	\$324,824.69
County Revenue 1/2012	\$62,139.27	State Revenue 1/2012	\$256,680.00
County Revenue 1/2013	\$64,370.72	State Revenue 1/2013	\$301,115.52
County Revenue 1/2014	\$55,367.36	State Revenue 1/2014	\$405,148.80

Foreclosures

2009 14 year to date
2010 21 year to date

Equipment Surcharge Balance \$128,539.07
CD \$60,760.12

2011 14 year to date	Bank of NH	\$67,778.95
2012 12 year to date		
2013 19 year to date		
2014 16 year to date	Revenue goal FY 2014	\$950,000.00
	7 month actual	<u>\$561,393.50</u>
		\$388,606.30

1. The situation in the basement vault requires discussion.
2. I have an issue regarding staffing to discuss in non-public session.
3. On 2/7/14 NH House Bill HB1122 FN has been approved in committee with a 9-0 vote and additional language that is unacceptable to this office. I have notified the lobbyist, our affiliate president and the committee of my objections.

Respectfully Submitted,

Kelley J. Monahan
February 11, 2014

RD Monahan requested to go into nonpublic session.

*9:20 AM - Commissioner Richards 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). Commissioner Cryans seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Cryans “yes”; Commissioner Richards “yes”; Commissioner Lauer “yes” Commissioner Cryans stated that a majority of the board voted yes and would now go into non-public session.

*9:39 AM– Commissioner Cryans declared the meeting back in public session.

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

RD Monahan discussed a black mold issue they are having in the basement vault due to a leaking wall where snow is being piled up against the outside of the building. She stated she has been in contact with the Maintenance department and are in the process of figuring out a plan to resolve the issue.

Atty. Saffo arrived and gave the following report:

Office of the Grafton County Attorney
Lara Saffo, County Attorney
February 11, 2014
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) Statistics

The year-end statistics are attached, broken down by town. I have also forwarded them to the Chiefs. We are working on the statistics by type of crime, and will have that available in drop box and for your next meeting.

(2) Early Case Resolution

We are moving along implementing ECR principles in the office. We have selected three different sized police departments to focus on as a mini pilot project. We will continue our efforts with the other departments to resolve cases earlier in the process as well. Establishing early case resolution will be more time consuming at first, but long term will save time, and thus money. Thus, it is worth our efforts. We did not receive the grant we applied for.

(3) Felony Case Flow Management

As noted last month, but I believe bears repetition due to the impact this will have on prosecution statewide, and in Grafton County, I have been very vocal in my concerns

about the New Hampshire Superior Court's draft proposed felony caseflow management plan. I along with the other county attorneys met with Chief Justice Nadeau to discuss this proposal (and Early Case Resolution). She recognizes that it will take extra work on the part of the Grafton County Attorney Office, as we will be assuming work previously done by the circuit court prosecutors (the initial arraignment and probable cause hearings). In many counties, it will save the circuit court prosecutors/police departments money as they will no longer have to do these hearings. Grafton is in the minority that this proposal would nonetheless increase police department costs if the police departments have to send officers to the superior court to file complaints and testify at probable cause hearings. Thus, absent significant modifications in the probable cause process, it would save neither police departments, nor my office, money. It would increase costs for both of us. I am very encouraged that Judge Nadeau agrees that police departments should not travel 3 hours round trip for these hearings. There are a number of creative manners to avoid this result, that will involve a change in the current method of doing things. My role is to ensure this change occurs, if probable cause hearings will be in Superior Court.

The Honorable Judge Nadeau has offered to come to a commissioners meeting on March 4th or the 18th to discuss ideas that we have all talked about. She wants us to be clear that nothing is firm, that we want all input, and our goal is the best solution for the whole system. Because any change involves a change in workload in my office (and the need for additional attorney time), I would like to take her up on her offer. Those two days I am currently not available due to a trial, but I can have Deputy County Attorney Pierce up to speed on this issue.

Judge Nadeau has confirmed that police departments would not have to travel to file complaints. She has some innovative ideas regarding probable cause hearings that would result in departments not having to travel. If those ideas proceed, filing felonies in superior court would save money and result in a more efficient system (but still result in more work for my office). I am willing to support the proposal *if* and only if police departments do not have to travel to file complaints and attend probable cause hearings in superior court.

(4) Grant

I have requested a prosecutor in the BJA and SAMSHA grants for collaborative case screening and early case resolution for cases that would apply to our problem solving courts. Bob Gasser is combining this grant with the grant we applied for last year. Fingers crossed!

(5) Training

Our office continues to utilize the webinars available, and have a set time each month to review webinars made available by the National Association of Child Advocacy Centers, the National Association of Drug Court Professionals, and Ending Violence Against Women. We will share the information gleaned from these free opportunities, and greatly appreciate the Sheriff's Department making their conference space available. This month's training was not as exceptional as we had hoped, but part of the process is viewing webinars to make a list of ones that we would recommend to our agencies.

(6) Victim Witness Department

As noted earlier, Carin Kniskern, our Victim Witness Coordinator, Alison Farina and myself have been reviewing best practices and standards to determine whether we need an additional victim witness coordinator to serve the citizens of Grafton County. We are finalizing the statistics at this time, but a preliminary review of the data shows that as of November 22, 2013 there were a total of 281 cases with victims in Grafton County. 144 of these cases were carried over from 2012 (so indicted at an earlier date, but still not resolved by January 1, 2013). In 2013 there were 137 new cases with victims. In addition to these cases, the Victim Witness Program assisted in 219 cases without victims. The Victim Witness Department assists in non victim cases that have witnesses in a number of ways, including entering witness identification into the system, forwarding bail orders to police departments, generating witness lists and generating subpoenas when these cases go to trial. We have a detailed case flow document that outlines the many functions of our Victim Witness Program.

It is clear that a second Victim Witness Coordinator is needed in Grafton County. I would propose that Carin Kniskern be the lead Victim Witness Coordinator, supervising the second Victim Witness Coordinator as she already supervises Sabra and the division.

I just learned of an opportunity for the next calendar year, but it is due February 14th. It is for an AmeriCorp volunteer. I would like this person to be available for domestic violence victims in our Circuit Courts. It would be a Criminal Justice System Advocate, who would work with the Circuit Court prosecutors in domestic violence and misdemeanor level sexual abuse cases. Currently, this is an unmet need. The Lebanon Chief, Chief Gary Smith, and I have discussed this need for his area. It would be for September 4, 2014 to September 3rd 2015, and require in my next budget a \$6,000 commitment and \$2,400 in kind, which we can easily meet.

(7) The Child Advocacy Center



In December, the CAC provided 20 Forensic Interviews in Grafton County alone.

The CAC has moved to its new location on Court Street in Lebanon, and open house is anticipated for February. The CAC continues to have a space in Littleton. A goal for me for 2014 is to find space in the Plymouth area. The CAC's budget cannot accommodate this commitment.

On April 8, 2014 is the Shield Our Children from Harm Conference. The keynote speaker is David Lisak. Although I have not heard what his topic will be for this conference, he is well known for his knowledge, expertise and presentations on the "Undetected Rapist."

(8) Grafton County Mental Health Court



Halls of Hope
Second Circuit Court, Lebanon Division



"A.S.S.E.R.T." Alternative Sentencing Solutions for Education, Recovery and Treatment
Second Circuit Court, Littleton Division

The Plymouth Mental Health Court
Second Circuit Court, Plymouth Division

We are working hard with the Veterans Administration to ensure that we meet the needs of veterans to the best of our abilities.

The Lebanon team has continued discussions with the mental health treatment providers in Vermont, so we can include individuals who commit crimes in the Lebanon Circuit Court catchment area, but live in Vermont and receive mental health services in Vermont.

Our program continues to collaborate with the House of Corrections (Angela Jones). The HOC has been supportive and helpful and we greatly appreciate their hard work. Grafton County continues to have a strong working relationship with the White River Junction VA. Mike Owens is the Veterans Justice Outreach Worker.

Members of the Halls of Hope and ASSERT Advisory Councils have successfully created a non –profit agency “Advocates for Grafton County Mental Health Court.” Grafton County has amazing people in our county, who are invested in making a difference for our residents. We are fortunate.

(9) Restorative Justice

All towns in Grafton County are officially covered by Restorative Justice. Within a day of the training being completed, Haverhill received its first referral, within a week more. Littleton completed the trainings and also received its first referral almost immediately. This is vital. As noted last month, but bears repeating, by way of example only, if a juvenile who has committed an offense does not have restorative justice as an option, they may have a juvenile record which has to be disclosed in financial aid applications. This could impact financial aid for future schooling. That is just another reason why we are happy to offer this program to juveniles.

Jay Appecelli from Cady, Inc, which provides services, has requested to use the White Building for the Restorative Justice panels. I wanted to run this request by you first, but I think it is an excellent idea. He does understand that he first has to ensure that the conference room is available and not being used by drug court or mental health court. I am asking Colleen Strout to maintain a calendar for the space. He also said he is more than willing to hold office hours there to increase our presence in this area.

Colleen Strout, the new administrative assistant, tracking the Restorative Justice contracts and assisting with Mental Health Court.

(10) The White Building

We have two interns that are coming to assist our alternative sentencing programs. We received donations of shelving from other Grafton County Departments and from the Mental Health Court 501©(3). So we are well on our way to organizing the significant material we have on the areas of alternative sentencing. The goal is that commissioners, delegation members, participants and the public can access and use this information – almost a library of resources available in Grafton County.

(11) Justice Involved Veterans

The Justice Involved Veterans Group has developed a “Veterans Behavioral Health Track” for justice involved veterans at the misdemeanor level.

As noted earlier, there is no doubt in my mind that the Criminal Justice System needs to collaborate effectively with the VA. The VHAs offer medical treatment (including counseling), prescriptions, residential treatment for substance abuse, and specialized PTSD treatment, the VBA offers educational assistance, housing, job training and other related programs. They can assign properly trained “peer mentors” to justice involved veterans, as well as a Veterans Justice Outreach Worker. These resources are vital to improve public safety. More importantly, we need to support our soldiers as they transition back into our communities after service to our country. You can learn more about Veterans Courts at <http://www.justiceforvets.org/>.

(12) Circuit Court Prosecution

We have continued to work hard to coordinate and support the circuit court prosecutors in Grafton County.

(13) Sexual Assault Resource Teams

a. Upper Valley SART and Plymouth Area Sexual Assault Resource Team

The Upper Valley SART continues to meet and is in the process of developing a Memorandum of Understanding for agencies’ consideration. Plymouth is working on a public relations campaign, using “Got Consent” coasters. Grafton County is fortunate to have these collaborative efforts! A continued goal is to obtain experts who can educate juries about the dynamics of sexual assaults. We also want to establish a team in the Littleton area, where the stakeholders are different from the Plymouth and Lebanon area.

(14) Drop Box / Webpage

An enormous Thank You to Samantha Norcross and the IT Department for their efforts on developing and maintaining the new webpage. It is an excellent resource for the public. At the delegation meeting, it was recommended that I develop a drop box for the information I would like the commissioners and delegation to access. Again thanks to our IT department, I have had drop box installed. After working through some kinks, I have learned how to set up folders, and would ask permission to “share” these folders with you.

(15) Nonpublic session

I am recommending a brief nonpublic session to discuss an employee issue.

Commissioner Richards moved to have Atty. Saffo apply for the AmeriCorps Victim Assistance Program Grant. Commissioner Cryans seconded the motion and all were in favor. Commissioner Lauer abstained.

*10:35 AM - Commissioner Richards 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). Commissioner Cryans seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Cryans “yes”; Commissioner Richards “yes”; Commissioner Lauer “yes” Commissioner Cryans stated that a majority of the board voted yes and would now go into non-public session.

*10:40 AM– Commissioner Cryans declared the meeting back in public session.

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

Supt. Libby arrived and gave the following report:

February 11, 2014

1. Population:	In-house	116	F Unit	43
			E Unit	24
			D Unit	28
			C Unit	19
			Intake	02

Weekenders: 4 Out of Facility: 42

2. Community Corrections Report:
 - a) Drug Court: supervising (21) *1 in custody
 - b) Electronic Monitoring: supervising (10)
 - c) Daily Work Release: supervising (2)
 - d) Operation Impact: Sgt Larson doing presentations/tours with Hanover High School, Beckett school in Campton, Samuel Morey School and Enfield Elementary
 - e) Community Work Program: Sgt Webster has been working on projects in Littleton at the UPC Church, in Haverhill at the Town Offices and Woodsville at the Clifford Building.
 - f) Farmstand: Closed for the season

3. General:
 - a) FY14 Budget update
 - 1) Inmate Medical line
 - 2) Salary lines

- 3) Bottom line
 - b) Old radio equipment
 - c) NHAC Code of Administrative Rules
 - d) Farm Stand Report 2013
 - e) Community Service Report 2013
 - f) Preparing for 2014 planting season

4. Personnel:

- a) Staffing
- b) Promotions

FY 14 Budget Update

- 1) Inmate Medical Line: Under expended on the 6 month report but has several inmates who are very expensive in that line. Supt. Libby stated that he is concerned that this line item may be over budget at the end of the fiscal year.
- 2) Salary Lines: Will have some that will be over budget at year end due to staffing issues.
- 3) Bottom Line: Is on target to be under budget at the end of the year.

Commissioner Richards moved to accept Supt. Libby's request to return equipment to a vendor as credit. Commissioner Cryans seconded the motion and all were in favor. Commissioner Lauer abstained.

Supt. Libby gave the Commissioners an update on the status of the NHAC Code of Administrative Rules and where they stand. He told them there was a Commissioners Council meeting on Friday, February 21st that was a joint meeting with the Superintendents' to discuss the issues.

Supt. Libby gave the Commissioners copies of the Farm Stand Report and Community Service Reports for 2013 and discussed both reports with them.

Commissioner Richards moved to accept Supt. Libby's request to purchase seeds using SCAAP funds. Commissioner Cryans seconded the motion and all were favor. Commissioner Lauer abstained.

Commissioner Richards stated that she would like to have a discussion at a later date regarding the relationship between the Nursing Home and Department of Corrections regarding the produce from the Farm.

SIT Elliot updated the Commissioners on the staffing at the DoC and the promotions they have had. SIT Elliot stated that in January after he received his promotion he began making promotions to build his team for when he takes over later this year. He stated that Christopher Kendall has been promoted to Captain; Nicole Cremo has been promoted to Director of

Community Corrections/Lieutenant; and Aaron Vannamee has been promoted to the Security Lieutenant.

He also told the Commissioners that as of January 27th they started an orientation program with six (6) new hires. They have completed the classroom work and are currently out on the floors. They should be done and meet with the Captain to be certified to work individually by the end of March. He stated that during that time they will have received 292 hours of training.

Commissioner Cryans asked if everyone had a chance to read the minutes. Commissioner Richards moved to approve the minutes from the February 4th meeting as amended. Commissioner Cryans seconded the motion and all were in favor. Commissioner Lauer abstained.

The Commissioners signed the check registers.

ED Clough discussed the Courthouse Lease Agreement- State Proposal. She stated that the lease with the State for the space that the Courts occupy is going to expire June 30th of this year. The State has sent a new proposal for a new four (4) year lease. Right now they pay \$13.39 a square foot for their office and common space. They pay \$7.35 a square foot for their storage space. They pay us a total of \$284,400 per year for their space at the Courthouse. Their proposal is no increase in year one (1), a 1% increase in years two (2) and three (3) and 1.5% increase in year four (4).

Commissioner Richards moved to extend the lease with the State for the Courts per the State's proposal. Commissioner Cryans seconded the motion.

Discussion:

Commissioner Richards asked how ED Clough felt with the increase. ED Clough stated that she was expecting no increase and was surprised that there was a small increase through three (3) of the four (4) years. Commissioner Richards suggested that they do a 1% increase for the first year as well.

Commissioner Richards moved to amend the motion and request a 1% increase for the first year of the four (4) year lease. There was no second.

The Commissioners then voted on the original motion and all were in favor. Commissioner Lauer abstained.

ED Clough had Commissioner Richards sign off on the CDFA Agreement.

ED Clough presented three (3) documents for the CDBG Application to be signed by Commissioner Cryans and Richards.

ED Clough presented the GCDoC Superior Report for the month of January for the Commissioners to review.

ED Clough reviewed the NACO Prescription Drug Report for the month of January with the Commissioners. She stated that for the month of January they had a price savings of \$6,503.30 which is an average price savings of \$24.63 and a 36.37% price savings. She stated that there are a total of 110 utilizers of the program for the month of January. To date they have had a savings of \$670,229.88 and 20,837 utilizers.

Commissioner Richards stated that she wanted to continue on with the discussion with Charlie Niebling who had written her an email on the thermal renewal energy certificates. She stated that Supt. Oakes had received an email from Dan Wilson. She stated she wants to proceed with having Charlie Niebling and Dan Wilson come take a look at our biomass plant and see if this is feasible.

11:35AM with no further business the meeting adjourned.

Respectfully submitted,

Martha Richards, Vice-Chair