

GRAFTON COUNTY COMMISSIONERS' MEETING
Administration Building
North Haverhill, NH 03774
March 26th, 2024

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

OTHERS: Maintenance Supt. Oakes, DoC Supt. Lethbridge, Register Monahan, Alternative Sentencing Director Mitchell, H. Mrema

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

DoC Supt. Lethbridge arrived and gave the following report: (* see attached)

Supt. Lethbridge reported that he has formed a Policy Review Team, which has been reviewing policies and identifying which are the most important to update. He has three (3) Standard Operating Procedures (SOPs) that have been updated, and he is looking for Commissioner approval. He discussed the following SOPs with the Commissioners.

1. Restraint SOP – Supt. Lethbridge stated that New Hampshire amended RSA 623-C:1-a in 2022 and placed significant restrictions on the use of restraint devices on pregnant inmates. He stated that the existing SOP is much more permissive of using restraints than the statute permits, and therefore, they have updated the policy to bring it in line with the statute.

MOTION: Commissioner Ahern moved to approve the revision to the Restraint Standard Operating Procedure. Commissioner McLeod seconded the motion.

Discussion: Commissioner McLeod wanted to note that the policy states restraints will not be used on inmates in active labor.

The Commissioners voted on the motion, and all were in favor.

2. FIIRM Program SOP – Supt. Lethbridge explained that what had previously existed was a three (3) tier plan that required the inmates to be released on electronic monitoring. He stated that many defense attorneys were reluctant to do that and wanted their clients to serve their time and be released without any further supervision they could violate. The other issue was not all of the inmates who wanted to enter the program were deemed suitable for electronic monitoring. After meeting with the programs team, this policy is now focused on the core 100 days in the facility, which opens it up to a broader range of inmates who can be served because they are not required to go out on electronic monitoring. He answered questions from the Commissioners.

MOTION: Commissioner McLeod moved to approve the revision to the FIRRM SOP. Commissioner Ahern seconded the motion, and all were in favor.

3. Dry Cell SOP – Supt. Lethbridge explained that dry cells are cells where the staff can turn the water off while inmates are there. Dry cells are useful for preventing the introduction of contraband into the facility. He stated that staff also checked fecal deposits for contraband before flushing the toilet. The guidance in the policy was unclear, and it was from staff that this policy was a priority for rewriting. Commissioner McLeod asked how they handle running or drinking water for inmates in these cells. Supt. Lethbridge explained that all of these cells are in intake, and the officers keep a pitcher of water at the booking desk. The policy requires that officers offer water to the inmates every hour.

MOTION: Commissioner Ahern moved to approve the revision to the Dry Cell SOP. Commissioner McLeod seconded the motion, and all were in favor.

Register Monahan was present and asked if any revisions have been made to the exit instructions for people when they are released from the facility with regard to not entering the other County buildings. Supt. Lethbridge stated that there is no revision to that policy but explained that those are a part of the instructions given upon their release. Register Monahan stated that she believes the policy specifically stated not to enter the Nursing Home, but she was unsure if the policy carried onto the Administration Building and its parking lot. Supt. Lethbridge stated that he would double-check on that, but he believes the instructions state they are to leave the campus.

Agenda Items:

1. Commissioner Piper asked if everyone had a chance to read the minutes from the March 19th meeting. Commissioner Piper had a couple of clarification edits.

Commissioner Ahern requested that the amount requested by the Department Head be listed at the beginning of the budget meeting minutes.

Alternative Sentencing Director Mitchell arrived and gave the following report (* see attached)

AS Director Mitchell reported that Drug Court is working with the County and sending all its participants to the county's life skills class.

Agenda Items:

1. The Commissioners signed check registers 1137-1141.

2. Commissioner Piper signed a CDBG Drawdown in the amount of \$2,500 for GRDC.

3. Approval of Minutes

MOTION: Commissioner McLeod moved to approve the minutes from the March 19th meeting as amended. Commissioner Ahern seconded the motion, and all were in favor.

4. VOCA Grant—CA Libby reported that the County will receive the full \$159,127.00 from the VOCA grant.

MOTION: Commissioner McLeod moved to accept the funds, enter into the grant agreement with the New Hampshire Department of Justice, and authorize the County Attorney to execute all of the documents that go with the grant. Commissioner Ahern seconded the motion, and all were in favor.

Supt. Oakes

Supt. Oakes reported that he has been told he has a \$250,000 lawsuit that Kelley Monahan is bringing against him in Superior Court. He has not officially been served, but the document is in the court system. He explained that his understanding of the claim is that K. Monahan suffered insults in the newspapers based on his testimony in the Court, where he was asked what the basis was for requesting a restraining order. Supt. Oakes stated that he had stated in court that he had felt she may be mentally ill but did not know that for sure, but based on her behavior over many years, that was his conclusion. He was unaware that reporters in the courtroom had recorded what had taken place, and now she is suing for suffering and damages. Supt. Oakes stated that there has been a lot of workplace harassment. He is trying to do his job, and this is very much a distraction and concerning. He is coming to the board and requesting Defense and Indemnification under RSA 29-A:1 and RSA 29-A:2 (* see attached document). He does not feel he has done anything illegal; he stood up for himself in executing his duties, which has not been well received.

Commissioner McLeod clarified that Supt. Oakes was on official duty for the County at the time of these incidents. Supt. Oakes stated that he was, adding that he has been employed in the County for almost twenty (20) years. In this suit, K. Monahan references many things that go back years.

CA Libby stated that Primex has reviewed the claim and will provide a defense attorney. She explained that the Commissioners are indemnifying Supt. Oakes. This statute protects employees from these types of events. The Commissioners are being asked to indemnify Supt. Oakes and hold him harmless. Primex will cover this and pick up the expense.

MOTION: Commissioner Ahern moved that Grafton County provide legal representation and indemnify Supt. Oakes, pursuant to RSA 29-A:2. Commissioner McLeod seconded the motion, and all were in favor.

Agenda Items:

1. Courthouse Building Committee – CA Libby stated that they had talked a little about the next steps for the Courthouse, and one of those steps was establishing a building committee. This committee would be working with all of the occupants and potential occupants to come up with an RFP for an architect and engineering firm to do an initial design of the building. She explained that the recommendation was for 3-5 people to be on that committee. Commissioner

McLeod asked if this committee would work with the initial design company or if this is just to come up with the RFP. Supt. Oakes stated that the intent of the committee would be to be the point of contact for the Commissioners and represent the County. They would hear all of the input from those involved with the Courthouse and then do the RFP, interview, and bring forth proposals to the Commissioners to select a particular entity to design. CA Libby stated that the committee would continue to work closely with the architect throughout the project. This committee would act as the representatives that would work with the architect and occupants of the building to make sure all of the needs are addressed.

CA Libby stated that her recommendation would be for the Committee to consist of Supt. Oakes, Assistant Supt. Colbeth, and someone from the Commissioner's Office. She stated that she does not feel they should include the court people as part of the core building committee. She stated that she feels that the job of this committee is to be the liaison with the courts and work with them to discuss their needs. She stated that the occupants of the Courthouse would have ample opportunity to express their needs and that it would be the committee's job to work with those people. CA Libby stated that, in her opinion, something that needs to be taken into consideration is that elected officials oversee the majority of occupants in that building, and elected officials come and go. The Maintenance Department and Commissioners Office staff will oversee and ensure everything is addressed. She added that they also will not be focused on their individual department's needs; they can focus on the building as a whole and meet with the individual occupants. Supt. Oakes added that the EH Danson report would be a starting place as it has the initial wants of the occupants but noted that the Registry of Deeds was not included in that initial report and has since expressed wanting to be included.

Supt. Oakes stated they were given a document from Sarah Lineberry from the State outlining the criteria they followed when building a new courthouse. She would be a resource as well. Commissioner McLeod noted that she feels they are missing the vision piece and feels the committee would be made up of those who are operational. She noted that the courthouse is a critical piece of the complex. Supt. Oakes explained that when the DoC was built, the Superintendent was on the committee, which made sense as it was his full building. The Courthouse is comprised of many different people and departments, and there is not one in full charge. The Commissioners further discussed Commissioner McLeod's concerns. Supt. Oakes stated that he envisions the committee going to the Commissioners throughout the process to solicit feedback and their thoughts on the process, so what does go out to bid will represent the Board. Commissioner Piper stated that the Register of Deeds submitted a memo requesting to be on the committee and asked Register Monahan, who was present at the meeting, if she would like to speak about her memo.

Register Monahan stated that when former County Administrator Andrew Dorsett took office, they had many discussions about the future. He and the Sheriff had discussed the front of the Administration Building to increase the security. Her two (2) issues are the inadequate storage for the records, lack of handicap accessibility, and security at the front end with disgruntled customers. She stated that former CA Dorsett had many ideas. She noted that she had spoken to former Commissioner Cryans about why a Deputy could not be placed in the breakroom and was told it would cost too much money. She stated that she is interested in what will happen but does not have to, nor wants to be in the new building, as they are comfortable where they are if there

is adequate security and storage for the records. Register Monahan stated that her being the variable, would add additional expense to the Courthouse build because they would be including a vault, unless they were to look at a hybrid model, where the vault is left in this building and a satellite office is in the courthouse. She went on to state that this is why she feels a master plan needs to be done and she believes Supt. Oakes and CA Libby are too close to the situation to be objective.

Commissioner McLeod stated that Register Monahan specifically asked to be included in the committee and they have talked about getting feedback from the departments as opposed to having all interested parties on the committee. Register Monahan responded by stating she is not satisfied with that. She asked where her authority would be and stated that she took an oath of office to protect the records and that was her only job, not to be a team player. She noted that she does look out for the taxpayers because she represents all taxpayers in Grafton County. Register Monahan stated that with the turnover and aggravated public increasing their visits, the dynamics of her office continue to shift.

Commissioner McLeod stated that security and accessibility are key pieces of the new building. She feels that usually there would be a brainstorming session. CA Libby stated that a brainstorming session, to an extent, was done with the EH Danson study. The committee would revisit that study and discuss what the needs, concerns, and visions are with the occupants. The committee then would put all of that together and then bring a recommendation to the Commissioners with an RFP. CA Libby stated that she sees that in her role, as the County Administrator, overseeing the day-to-day operations of the complex. She would take on the role of overseeing a project like this that includes building that holds many departments. She stated that they are looking to the Commissioners for their direction. They want to address all concerns from everyone involved.

Register Monahan stated that had discussed with former CA Dorsett, the feasibility of underground parking for additional security, if they were going to dig for a vault. She went on to state that there are many factors that go into this, and she does not see that she will have the ability to say “yay” or “nay” to decisions that are made without participating. Commissioner Piper asked if Register Monahan sees herself as the person who can provide the vision. Register Monahan stated that she is a vision person; she knows a lot about construction and how things work.

Commissioner Piper requested to go into nonpublic session.

MOTION: * 10:15 AM Commissioner McLeod moved to enter into a 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 Ahern seconded the motion. This motion requires a roll call vote. Commissioner Piper called the roll. Commissioner Ahern said “yes,” Commissioner McLeod said “yes,” and

Commissioner Piper said “yes,” and Commissioner Piper stated that a majority of the board voted “yes” and would now go into non-public session.

*11:02 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 said, “Yes,” Commissioner Piper said, “Yes.” Commissioner Piper stated that a majority of the board voted “yes,” and the motion passes.

MOTION: Commissioner McLeod moved to appoint Commissioner Piper, Maintenance Superintendent Oakes, and County Administrator Libby to the Courthouse Building Committee with Assistant County Administrator Burnbank and Asst. Maintenance Superintendent Colbeth as alternates. Commissioner Ahern seconded the motion, and all were in favor.

2. Letter RE: NCES Landfill – CA Libby stated that Jon Swan drafted a letter on the Commissioners behalf to address the issues they have regarding the NCES Landfill and Granite State Landfill development (* see attached letter)

MOTION: Commissioner McLeod moved to send Commissioner Robert Scott the draft letter, as prepared, regarding the NCES Landfill and Granite State Landfill Development. Commissioner Ahern seconded the motion, and all were in favor.

3. Minute Approval

MOTION: Commissioner McLeod moved to approve the minutes from the March 21st meeting as amended. Commissioner Ahern seconded the motion, and all were in favor.

4. Executive Committee Meeting Update – CA Libby updated the Commissioners on the Executive Committee meeting, as two (2) of the three (3) were unable to attend. She stated that the Committee asked why they are not paid their per diem rate when they participate remotely. CA Libby explained that according to the statute, they are paid a \$25 per diem for attending an actual meeting. She stated that since the County started having virtual meetings, those who participate virtually have not received their per diem rate. CA Libby stated that she does not know why the County would not pay them, as they are participating and voting in these meetings. She feels they should make this change starting with the meeting this week and going forward but would not recommend going back retroactively. CA Libby noted that the statute had not been updated since 2007 and that virtual meetings did not exist at that time.

MOTION: Commissioner McLeod moved to reimburse the Representatives their per diem rate for virtual participation retroactive to yesterday’s meeting. Commissioner Ahern seconded the motion, and all were in favor.

CA Libby stated that there were many questions regarding revenue at the Nursing Home. She informed the Executive Committee that NHA Labore just received an agreement from Vermont Medicaid that they are going to pay the County the full \$569 per day. She stated that the reimbursement rate from New Hampshire is \$253 per day. She stated that NHA Labore will discuss this with the Commissioners at their next meeting.

CA Libby further discussed details from the Executive Committee meeting with the Commissioners and answered questions.

She noted that the Executive Committee will meet on April 22nd to discuss recommendations for Elected Officials' salaries to present to the full Delegation at their May 6th meeting.

Commissioner Issues:

1. Commissioner Piper reported that she attended the County and State Finance Commission Meeting yesterday. They discussed nursing home facility utilization projections and rate setting. She discussed the details of the meeting with the Commissioners and answered questions.
2. Commissioner McLeod stated that she was contacted by a constituent who can no longer get WMUR on her satellite. This constituent talked to WMUR and FCC and found out that there is a process the County can go through to change the market so their residents can have their news channel that is in their state. Commissioner McLeod stated that she forwarded an email with information to CA Libby and Asst. Burbank. CA Libby stated that it appears to be a very cumbersome and expensive process, but she will look at it more thoroughly and report back to the Commissioners.

Public Comment – There were none.

11:36 AM With no further business, the meeting adjourned.

Respectfully Submitted,



Martha S. McLeod, Clerk

Monthly Department of Corrections Activity Report

February 2024



Major Incidents:

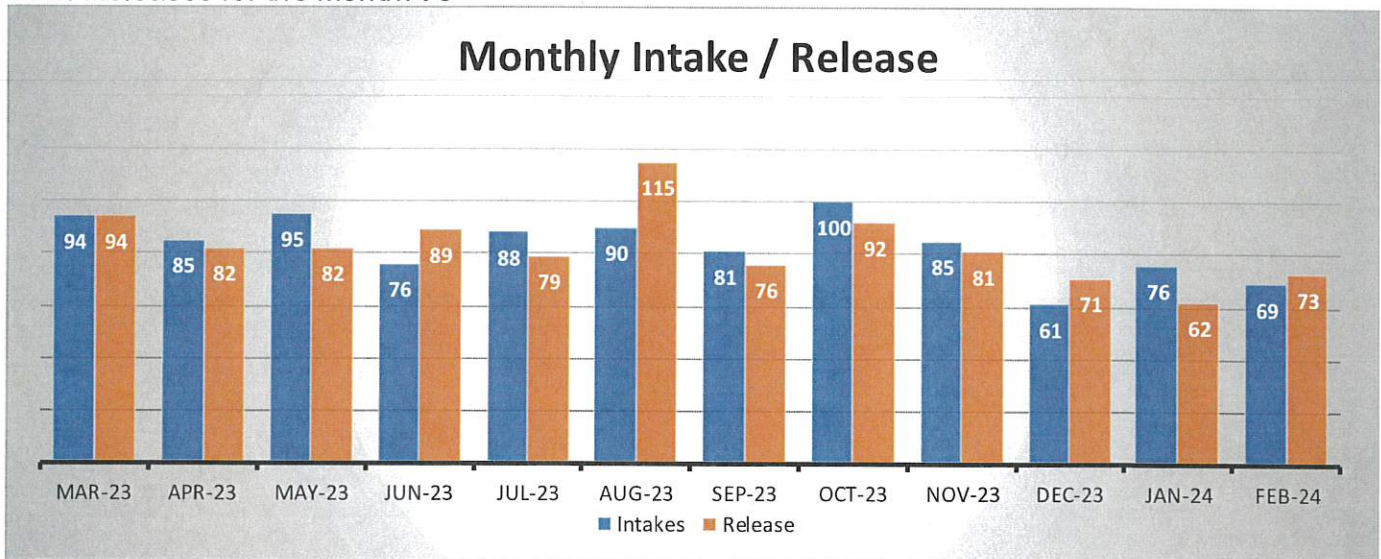
There were no major incidents in the Grafton County Dept of Corrections in February.

Population Data:

Total Intakes for the Month: **69** (Coos County Females:2)

Total Releases for the Month: **73**

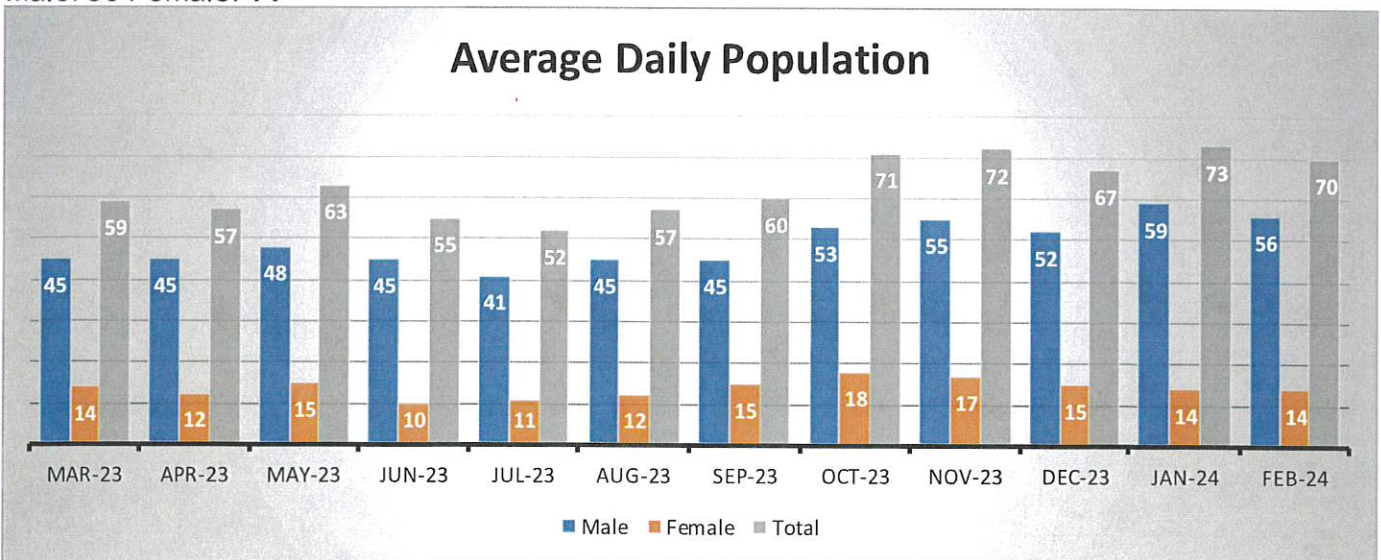
Monthly Intake / Release



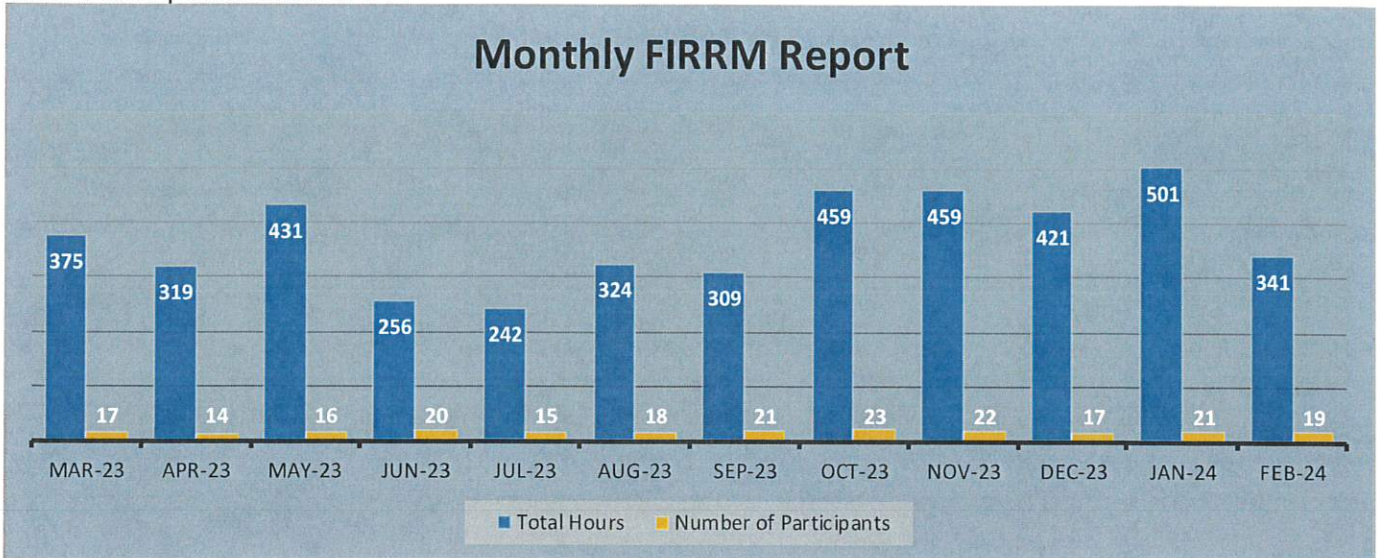
In House Average Daily Population for the Month: **70**

Male: **56** Female: **14**

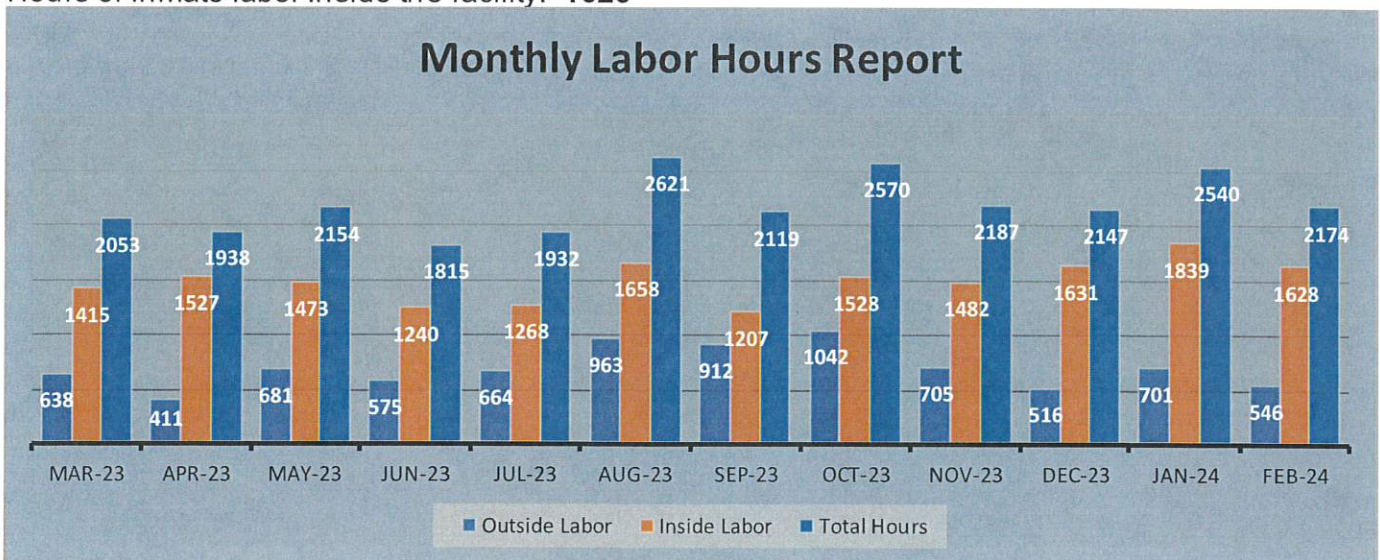
Average Daily Population



Inmates participating in FIRRM program during the month: **19**
 Total Participation Hours: **341**



Hours of inmate labor outside the facility: **504**
 Hours of inmate labor inside the facility: **1628**



Food Service:

Average per meal cost to feed each inmate: \$1.66

The cost per meal was down \$.05 from January, this is the third consecutive month to month decline. 5890 inmate meals were served during the month of February, for a total food expenditure of \$9761.

Medical:

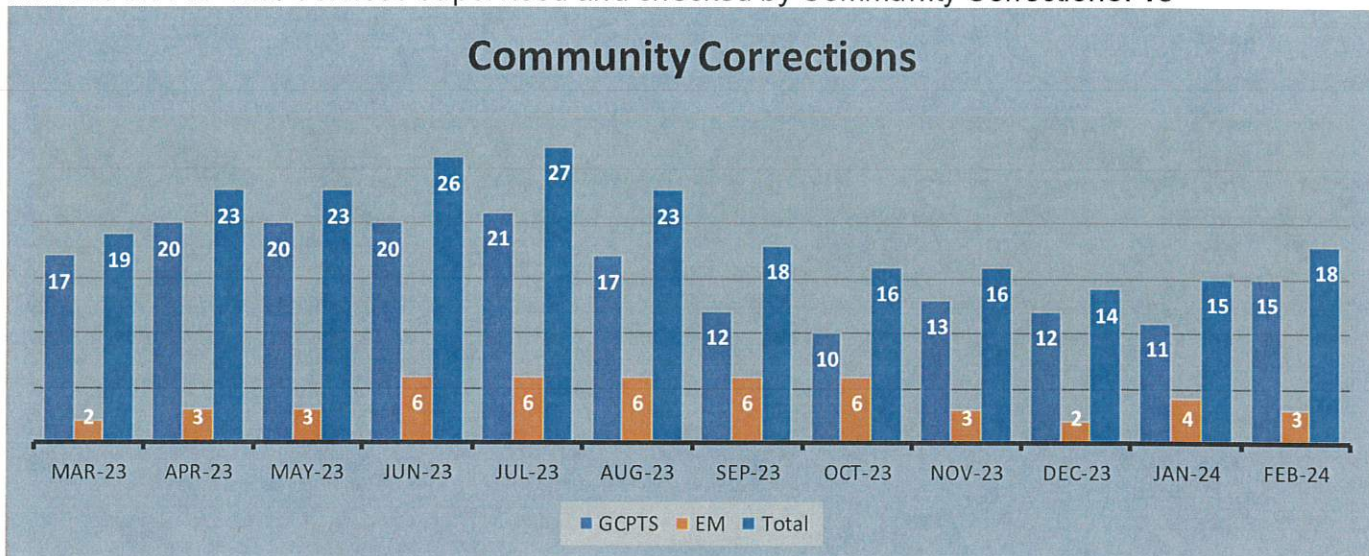
Commissioners approved contracting for a traveling nurse in February and that contract was signed, with the traveling nurse scheduled to begin working mid-March. The county is continuing to advertise and search for full time nurses for the two openings.

A late term high risk pregnancy inmate held by the jail for assaultive charges on law enforcement in February required frequent medical trips with two officer escorts. Pregnant inmates may only be restrained under exigent circumstances. This inmate remained in custody at the end of the month.

Community Corrections:

Inmates supervised on Electronic Monitoring (including EM Pretrial Services): **3**

Inmates on Pre-Trial Services supervised and checked by Community Corrections: **15**



Staff:

New officer hires during the month: 2

New officer/supervisor vacancies during the month: 0

Total vacant officer positions at the end of the month (including supervisory rank): 3

Promotions during the month: None

Other hiring/vacancies during the month: No new vacancies. One full time and one PT chef position and two nursing positions remained vacant at the end of February.

Significant Developments and Achievements:

On February 6th, two officers conducting searches located large amounts of presumed illegal drugs in powder form, which a new intake was attempting to smuggle into the jail. The white powder, possibly fentanyl, was described as being nearly baseball size. The drugs were turned over to law enforcement and the jail has not received the lab testing results. Regardless of what specific drugs these powders were, they represented a significant threat to the health and safety of inmates and

staff inside the facility. Officer Gordon and Officer Collatt were commended for their attention to detail and thorough searches, which kept these drugs from making it to population.

Significant Problems:

There were no significant problems in the Dept of Corrections during February.

Overall Assessment of the Dept of Corrections

Throughout February the Department of Corrections was preparing to move to the new 12 hour schedule. Squad assignments and the schedule were published in advance of moving to the new schedule in March. Staff morale seemed high with a number of officers expressing excitement about trying the new schedule.

The Superintendents collectively have been monitoring bills progressing through the state house. One bill that would have required jails to accept any inmate regardless of their medical condition or ongoing medical emergency was withdrawn after the Superintendents attended the Criminal Justice committee hearing to testify to the impact. Several other bills that would impact jail operations and jail expenses are still being monitored and feedback offered to legislators.

Alternative Sentencing

Commissioners Report February 2024

Directors Report:

Alternative Sentencing extends deep gratitude to the Commissioners and the County of Grafton for helping support several of our participants across all programs. The monies provided through grants has helped to facilitate strong recoveries from substance use disorders and mental health challenges.

To date we have provided financial support to nine participants. We have utilized \$15,498.45 in Local Assistance and Tribal Consistency Funds and \$13,137.54 in Opioid Abatement Funds.

The grant funding provided not only immediate and necessary support to our participants, but has also, in many cases created a positive domino effect, leading to overall betterment and wellness in their lives.

The team has been diligent in holding participants responsible for independent forward movement when supported with these funds. Eighty nine percent of the individuals supported are either successfully completing the program or are on their way. These funds were truly a “hand up”.

For example, the grant funding was used to buy a participant from Plymouth, new eyeglasses. His were so badly scratched he was having difficulty seeing clearly for daily activities. We provided him grocery gift cards to stock his pantry post-surgery when he would not be able to drive and had no other supports. He was provided a laptop and a toolbelt leading to gainful employment.

A participant in Lebanon was supported with safe housing in a hotel and her belongings were kept safe in storage while her team worked to find an apartment. This funding not only saved the staff time from having to make fruitless making to access funds for homeless individuals, but it also allowed this participant a sense of safety that helped stabilize her mental health and broke the cycle of weekly (or more) admissions to the two local hospitals.

We were able to help pay fines for another participant, to allow him to drive and thus work to support himself. Prior to this he was trapped in the endless cycle of having no transportation, and therefore, no employment. Without an income he could not pay for his basic needs. He was living in a campground over the summer, that the funds helped pay for. He is now successfully housed, employed, and moving toward completion of the program.

These are just some examples of the very important ways that the funds have increased the quality of life for our participants, and simultaneously reduced the tax on agencies, towns, hospitals and community resources.

***Alternative Sentencing Programs:**

Juvenile Restorative Justice

Adult Felony and Misdemeanor Diversion

C.A.R.E & C.A.R.E+

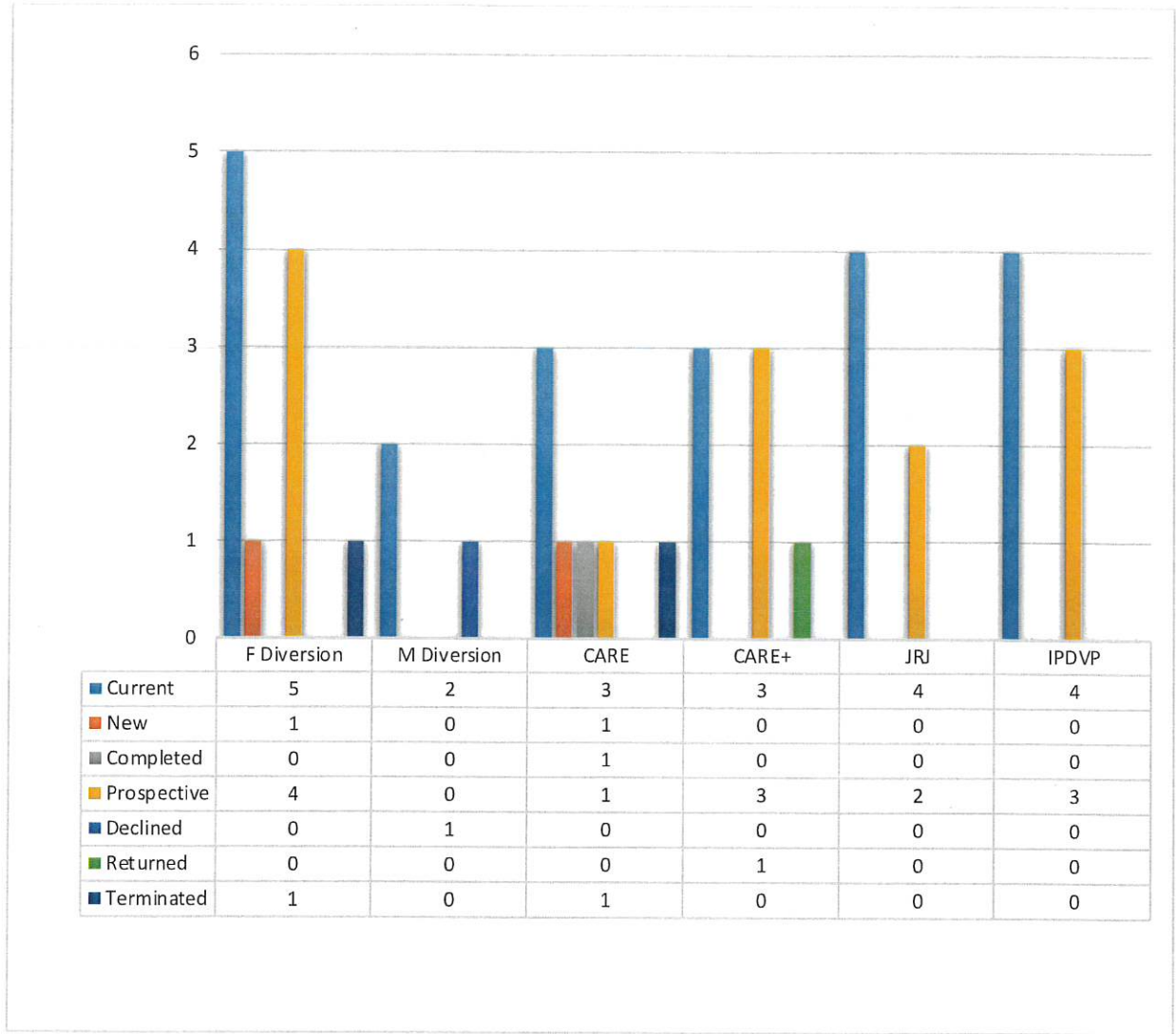
Intimate Partner Domestic Violence Program: Emerge

Mental Health Court

Alternative Sentencing Programs

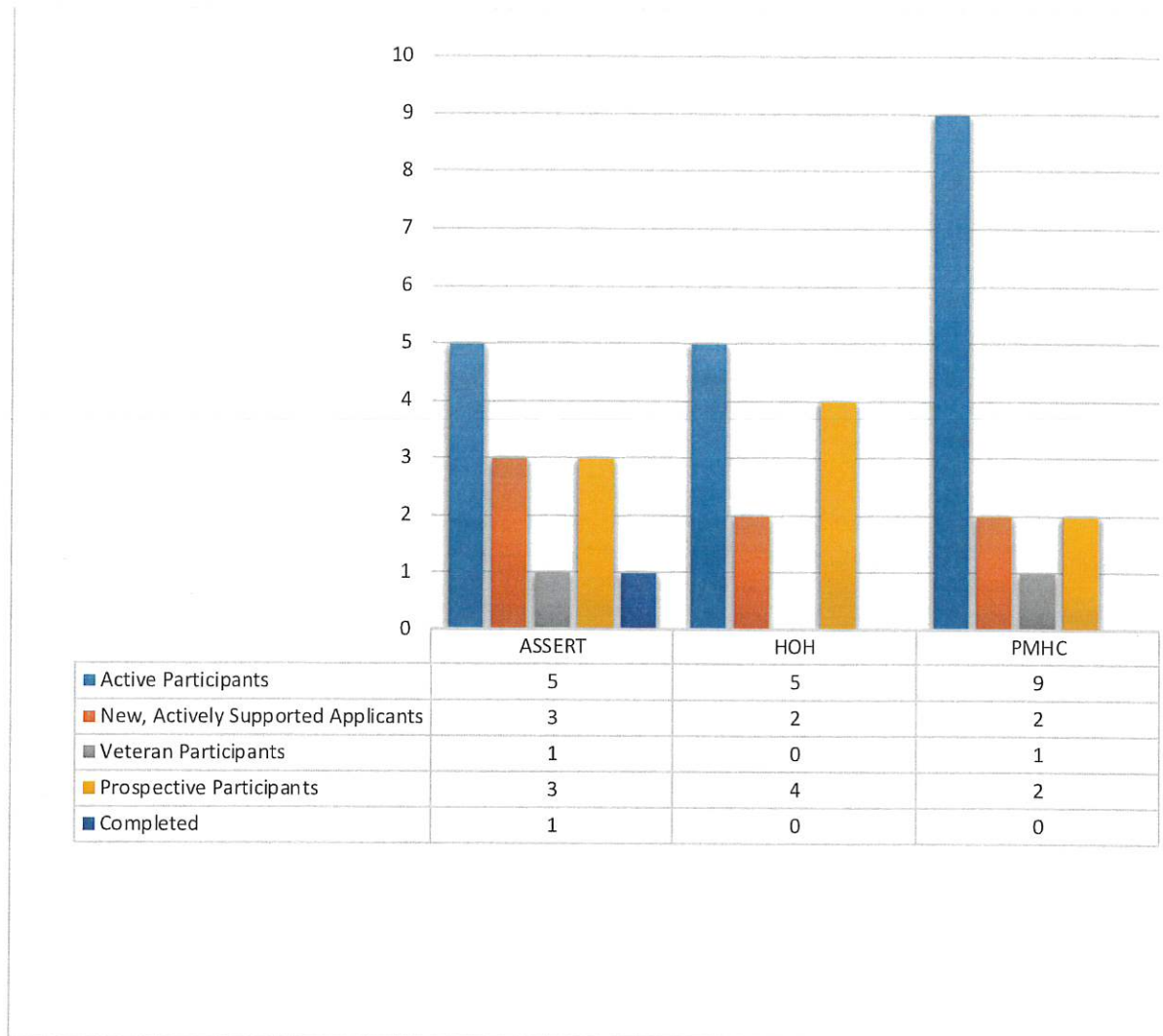
Alternative Sentencing
Commissioners Report February 2024

February 2024



Mental Health Court
February 2024

Alternative Sentencing Commissioners Report February 2024



Alternative Sentencing
Commissioners Report February 2024

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
JRJ	---	---	---	---	---	---	---	---	---	---	---	---
AD	\$515.75	\$370	---	---	---	---	---	---	---	---	---	---
MISSED	\$25	---	---	---	---	---	---	---	---	---	---	---
LATE	---	---	---	---	---	---	---	---	---	---	---	---
+ UA's	---	---	---	---	---	---	---	---	---	---	---	---
MRT	---	---	---	---	---	---	---	---	---	---	---	---
Emerge	\$325	\$550	---	---	---	---	---	---	---	---	---	---
CARE	---	---	---	---	---	---	---	---	---	---	---	---
MISSED	---	---	---	---	---	---	---	---	---	---	---	---
+ UA's	---	---	---	---	---	---	---	---	---	---	---	---
BDAS	\$1883.36	\$1994.69	---	---	---	---	---	---	---	---	---	---
Totals	\$2749.11	\$2914.69	---	---	---	---	---	---	---	---	---	---