

## GRAFTON COUNTY COMMISSIONERS' MEETING

Office of the Commissioners  
3855 Dartmouth College Hwy.  
N. Haverhill, NH 03774  
Tuesday October 5, 2010

PRESENT: Commissioners Michael Cryans, Ray Burton and Martha Richards, Executive Director Clough and Secretary Martino

OTHERS PRESENT: J. Chamberlain

Commissioner Cryans opened the meeting at 9:36 AM

The Commissioners signed the check registers.

Commissioner Richards moved to approve the minutes from September 28, 2010 which was seconded by Commissioner Cryans. Edits were made. All were in favor.

Director Clough informed the Commissioners of the Environmental Review record for the AHEAD CDBG grant saying the notice was posted and that there was documentation that Commissioner Cryans needed to sign.

The Grafton County Farm Bureau will be holding its annual meeting on October 16<sup>th</sup> at the Horse Meadow Senior Center beginning at 6:00 PM. Commissioner Cryans said he will attend.

The Commissioners signed the UE Collective Bargaining Agreement which has been signed off on by the Union.

The TAN's notes and paperwork has been submitted and the money will be ready to borrow when needed. Director Clough said they will probably need to draw down some this week. Tax payments from Towns are due on December 17<sup>th</sup>.

There will be a 90<sup>th</sup> Birthday party for a resident at the Nursing Home on October 12<sup>th</sup> at 2:00 PM.

Director Clough gave an update on the Nursing Home as NHA Bolander is currently out of the country. She said that the Center for Medicare and Medicaid Services (CMS) disagreed with the State Survey findings at the Nursing Home and found that the infraction on pressure wounds created what they called an immediate jeopardy/substandard care deficiency and said they would be denying payment of new admissions and instituting a \$4500 a day fine until the issue was cleared. Eileen has been in contact with the State and they were going to be looking into it. They did advise that Renee submit a letter stating that the immediate jeopardy had ended. Since that time a new letter has been received by CMS stating that they have put off the denial of payment for new admissions until December 3<sup>rd</sup> and to impose a one time fine of \$5000. The other penalty from the Feds was that no LNA classes could be held at the County.

Director Clough said that the final decisions were certainly better than what could have been although the fine is still great. NHA Bolander will be attending the Commissioner meeting next Tuesday and will discuss this with the Commissioners further.

Commissioner Cryans said that he would like to send a message to CMS which stated that the Commissioners did not feel that the LNA class should be penalized simply because the class was being held at the Nursing Home. He felt strongly that this message should be conveyed.

Director Clough said NHA Bolander feared that because CMS disagreed with the State Surveyors that the Nursing Home would incur a Federal Survey.

Commissioner Burton said that he feels that the feds had chosen to fine the Nursing Home because of their need for money.

Director Clough said that when NHA Bolander comes back they may need to take a good look at the staffing to see if perhaps they do need more LNA's in order to keep things running smoothly particularly if the lack of staff is affecting the results of the surveys.

Commissioner Richards wondered if the new ulcer care protocols that are being instituted will have an affect on the situation. Commissioner Cryans said that was another reason for keeping the LNA class at the Nursing Home so they could cover that topic and protocols.

Commissioner Burton said that he thought a letter should be written in protest to the overregulation of Nursing Homes and that letter should be copied to the Congressional Representatives. He also said that he agreed with Commissioner Cryans about sending the letter about keeping the LNA class. Director Clough asked the Commissioners to wait until they spoke with NHA Bolander next week so that they had the most up to date information.

Human Services Administrator Nancy Bishop arrived to give her report. She passed out information regarding the quarterly billing by towns. She said that the County may not reach their cap and asked the Commissioners to be thinking about how they might want to address that if the time comes.

The Molar Express will be at the County on the 27<sup>th</sup> and 28<sup>th</sup> of this month. HSA Bishop attended the All Health Hazards Region training recently and has participated in two online FEMA trainings.

HSA Bishop has been invited by Senior Center Executive Director Roberta Berner to attend a PACE program in VT which is an all inclusive program that works to keep the elderly in their communities.

Commissioner Cryans asked if HSA Bishop attended the last State finance meeting and she said she had and discussed briefly what went on.

Sheriff Dutile arrived to discuss an issue with his budget. He received a letter from the State which stated that they were concerned about being able to pay for security for the

Courts for the remainder of the fiscal year because of costs. When the Sheriff spoke with Chief Justice Lynn who wrote the letter, the Chief Justice expressed his concern for having to pay for security on days when the Courts had their furloughs. He didn't think the State should have to pay for that, plus he didn't think that having to pay two people, (which is how the magnetometer is manned) was right. The Sheriff explained that two people are used because of the hours that the Courthouse building is open, which brought him to a solution to the problem. The Sheriff suggested that the building be open only between the hours of 7:45 AM to 4:15 PM and that way there would only be a need for one security person at the door. He said this would save the County \$23K and any office personnel who needed to come or go before or after those hours could do so through the Sheriff's door. The Sheriff checked with all the offices in that building and no one seemed to have an issue with the change.

Sheriff Dutile agreed with Justice Lynn that to man the door on days that the Courts weren't open didn't quite seem fair and Commissioner Cryans said that you have to look at it another way, which is that the door would not have to be manned at all if it were not for the Courts to begin with. The magnetometer and the security are there because of the Courts and have nothing to do with a decision by the County, noting that no other County building has security.

Commissioner Burton asked if the changing of the hours would affect the certification of the Sheriff's Dept. and Sheriff Dutile replied no. Commissioner Burton then asked if it would have any affect on the Americans with Disabilities Act and he said that it's only a change in hours and nothing more than that.

Commissioner Burton moved to accept the recommendation from the Sheriff to change the hours in the Courthouse building to 7:45 AM to 4:15 PM which was seconded by Commissioner Richards. All were in favor.

New hours will go into affect next week.

#### COMMISSIONER ISSUES:

Commissioner Burton suggested that Commissioners Cryans and Richards get themselves a copy of the County Municipal Offices Directory which is put out by LGC. Director Clough said that the office has a copy of it on their computer as it comes with a disc of the information.

The Commissioners received a letter asking for their support in a wind project in Commissioner Richards district. She will respond to the request.

Commissioner Richards received a thank you letter from the Holderness Library which was awarded Library of the Year. Commissioner Richards attended the ceremony and brought them the UNH Resource manual and a commendation for their award.

Maintenance Supt. Oakes arrived.

The Commissioners took a brief ten minute break.  
The Commissioners resumed their meeting.

Supt. Oakes received a proposal from Morrill Construction for the drainage/erosion work in the Farm area. The proposal was in the amount of \$38,500 but also suggested that the County might want to consider putting the job out to bid for a smaller agency to bid on. Commissioner Cryans asked if the project could wait until spring and Supt. Oakes said it could not and that time was of the essence in order to keep the Jail project on schedule.

There was a discussion about whether or not Morrill Construction wanted to do the work and Supt. Oakes read the proposal aloud. Commissioner Cryans said he did not think that Morrill was implying that they didn't want the work but more that the work may be more costly for the County if they were the ones to do it. Commissioner Cryans said that given the factor of lack of time and the knowledge that Morrill does a good job, he would be inclined to accept the proposal. Commissioner Burton agreed.

Commissioner Richards wanted it made clear that Morrill really does want the job and that they have the time and the manpower to do it. Commissioner Cryans asked if she was okay with voting on the motion prior to having the answer and she replied that she was.

Commissioner Burton moved to waive bid on the drainage/erosion project and to award the job to Morrill Construction in the amount of \$38,500 which was seconded by Commissioner Richards. All were in favor.

There was a discussion about needing additional drainage over at the Farmstand as there is water that puddles up in a certain area. Director Clough asked Supt. Oakes to get a better idea of what the cost might be.

Commissioner Cryans signed a \$191K drawdown request for the MicroCredit grant and all three Commissioners signed the warrant for the grant.

Director Clough said that she received paperwork from Sheriff Dutile which stated that both the Sheriff's Department and former Sheriff Barry were being sued by Joe Haas for breach of statutory duty in an event stemming from 1993. Director Clough will submit it to the insurance company.

Steve LaFrance from Horizons Engineering in Littleton arrived, along with Maintenance Supt. Asst. Richard Thompson. LaFrance presented the Commissioners with a draft report regarding the water tank project which was a request from the Delegation.

The report addressed the issue of the water in the tank not turning over as it was designed which causes bacteria to form. Alternatives were looked at as to how to remedy this problem.

The remedy that seemed to make the most sense at this stage would be for the County to create its own water supply and to generate revenue by selling water to Hatchland Farm. Approximately \$24K in revenue could be realized if the same amount is paid to the County as is paid to Woodsville Water & Light.

The recommendation is that the County investigate the possible use of ground water for themselves and perhaps Hatchland Farm.

There was a discussion as to how this might be accomplished which would include drilling test wells.

Noting the problems that have been seen in other parts of the country, Commissioner Cryans asked if wells in this part of the country would still produce as much in the future as they might at first. S. LaFrance said that if we were out west it would be a different story but the Northeast sees a lot of rain and therefore supplies are pretty reliable. Commissioner Cryans said that would be an important factor because the County has to provide for a lot of people and can't afford to run out of water.

Funding was discussed in the way of grants for a project like this. S. LaFrance said this would be an infrastructure project.

Commissioner Burton asked if there were any other Counties who have done something like this and S. LaFrance said that none have removed themselves from a water company to operate their own water system. Carroll County comes closest but they had their own system to begin with.

Commissioner Cryans asked if anyone would be likely to intercede on behalf of WW&L saying that the County having their own supply would cause them a hardship thus causing an issue with the possibility of a grant. S. LaFrance said he's never heard of that happening and the grant applications are judged on their own merit. He said that WW&L doesn't seem to be all that concerned about losing the County as a customer and he believes that they (WW&L) think that the disinfection issue with the storage tank is something that may create financial problems for them in the future.

Commissioner Cryans asked if S. LaFrance would be able to come to the Executive Committee meeting on the 18<sup>th</sup> of October and go over this report with them. He also stated that this is a process that will more than likely take a long time going forward. S. LaFrance said that this report is still a draft and that he will go over things with Supt. Oakes and then have copies available for the meeting on the 18<sup>th</sup>.

R. Thompson wanted to note that putting wells in is a long process that needs to be approved along the way, adding also that there is no guaranty that H. Hatch will hook up or if he does, stay on the system.

Supt. Oakes said that S. LaFrance addresses the permitting process in the report.

Commissioner Richards said that if this does go forward there will need to be a more in depth conversation with H. Hatch. S. LaFrance said that he got the feeling that if the County were to have their own water system that H. Hatch would definitely be interested and noted that he was aware of certain displeasures that H. Hatch has had with the water coming from WW&L. Director Clough concurred, saying that the current water has been an ongoing concern of Mr. Hatch's and he has expressed interest in an alternative.

Commissioner Cryans thanked Steve LaFrance for his thoughtful presentation and said there seems to be a multitude of variables.

12:10 PM Being no further business the meeting was adjourned.

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Raymond S. Burton, Clerk