

Grafton County Delegation Vote on FY11 Budget  
Grafton County ~ UNH Conference Room  
North Haverhill, NH  
Monday July 26, 2010

PRESENT: Representatives Ward, Bulis, Taylor, Gionet, Ford, Ladd, Ingbretson, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Nordgren, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding. Commissioners Cryans, Burton and Richards, Executive Director Julie Clough and Sec. Martino

EXCUSED: Representatives Matheson, Maybeck Pastor-Bodmer, Almy and White.

OTHERS: J. Chamberlin, D. Maes, T. Andross, M. Simpson, B. Ruggles, B. Patanovich, Sheriff Dutile, N. Bishop, J. Oakes, RD Sharp, N. Clement, D. Kimball, R. Clough and H. Wetherbee.

10:07 AM Rep. Mulholland called the meeting to order and Rep. Preston (Clerk) called the roll. 20 members were present when the roll was called and a quorum was declared.

10:17 AM Rep. Ward arrived

The floor was turned over to Maintenance Superintendent Jim Oakes to discuss an issue with the water tank. He provided informational materials for everyone to follow along with. \*(see attached). The information gave a brief history of the need for the water tank and its construction. The current problem is that the water turnover in the tank is poor and does not follow DES recommendations. Possible solutions to the problem were discussed.

1. Woodville Water & Light can manually open and close a gate valve every 24 hours at a cost of \$50 per visit.
2. An automated valve system can be installed at a cost of \$80K
3. The County can pursue drilling wells and create their own municipal system at a one time cost of between \$320K and \$420K while also creating a revenue source.

Supt. Oakes would like to pursue option #3 and that H. Hatch of Hatchland Farm was very receptive to becoming a recipient if the County had its own water supply system.

Rep. Benn asked how sure it would be that a good source of water could be found and Supt. Oakes said there is no guaranty, only the hypothesis that the area will produce. Supt. Oakes said that some wells being drilled for the Jail project are pumping 50 gallons per minute.

Rep. Williams said the only real way to know is to drill the test wells. Supt. Oakes said ideally they would be looking at two wells that yield 40 gallons a minute.

Rep. Aguiar asked what the County usage was and Supt. Oakes replied that it was 29 thousand gallons a day and 60 thousand gallons are recommended at maximum build out of the Jail.

Rep. Laliberte asked about the cost of maintenance if the valve is put in and Supt. Oakes said he didn't really have that answer but expected it would be more than there is now.

Rep. Ladd shared the concerns that the County water tank is not turning over enough water and is concerned what problems that could cause for the communities below the County to the south. He also wondered why there wasn't an MOA in place with WW&L.

Rep. Ward said the County may need another party in place to give an objective opinion as to the best way to solve this problem.

Supt. Oakes said that WW&L is insistent upon using their own engineers, Dufresne & Assoc., and using the design they want which is what the County in designing the tank and how it ended up this way. It was stressed that WW&L has not been terribly cooperative with this situation from the beginning.

Rep. Benn asked if there was any way to go to a two pipe system and Supt. Oakes said that although he doesn't know what the cost would be to do that, from what he's seen and of what would need to be done to accomplish that, it could run at least \$150K.

10:50 AM Treasurer Sievers arrived.

Rep. Bulis asked to hear from the Commissioners on this issue.

Rep. Ladd said he feels there are some financial issues that need to be taken care of and that in his opinion; the County should get into the water business.

Rep. Mulholland asked the Delegation to break from this discussion as the County Treasurer had arrived and was short on available time. A vote on tax anticipation notes needed to be taken at that time.

Representative Townsend moved to authorize Tax Anticipation Loans in the amount of up to \$5M, which was seconded by rep. Preston.

Treasurer Sievers spoke and said that \$3.3M of TANs were used last year and the County will likely need around \$4.5M this year so the request is for \$5M.

When the vote was taken All (Reps. Ward, Bulis, Taylor, Gionet, Ford, Ladd, Ingretson, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Nordgren, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding) were in favor. Motion passes.

Treasurer Sievers was excused and the meeting continued with the discussion of the water tank.

Rep. Williams was in agreement that another engineer should look at the water tank situation.

Commissioner Cryans said that Supt. Oakes has put a lot of effort into this project though he agreed that asking a third party to engage in the issue and review it would be a good idea and that the County would be better served to get someone highly professional to review this.

Commissioner Burton said the Commissioners have met with WW& L and Director Clough and Supt. Oakes have gone back and forth with them to no avail. He said that he believes that the County should be in the water business and not attached to another entity who can dictate to them. On another note, Commissioner Burton said he is not pleased with the water source which comes from the Ammonoosuc River.

Commissioner Richards concurred, saying that she is tired of being jerked around by WW& L and agree that an expert be consulted.

Rep. Ladd moved that upon Commissioner approval that up to \$420K from the undesignated fund balance be used for development of Grafton County Complex's own water supply as outlined in the hydro geologic site investigation report completed by Hoffer Consulting Inc. dated 2-28-09 and to include other water line infrastructure and delivery needs associated with the Grafton County Water System. Motion was seconded by Rep. Gionet.

#### DISCUSSION:

Rep. Harding thought a second opinion should come first before considering spending \$420K. Rep. Ward agreed and thought that a step was being skipped. He suggested maybe adding \$20K to the budget and having a study done first. Rep. Williams agreed with having a study done which would be heading in the right direction.

Rep. Benn agreed but he thought that there was an immediate concern and the valves should be opened for turnover.

Rep. Aguiar said he takes issue with the fact that the system doesn't work and that no one is being held accountable.

Rep. Ladd said that he did not agree that more studies are needed but that the motion gives the Commissioners that authority. He said that time and money have already been spent.

Rep. Mulholland did a review of what she believed she was hearing which was that people were leaning toward the County having their own water system and that there should be a third party consultant hired.

Rep. Pierce presented an amendment to the motion which added "and any other studies that the Commissioners may commission" after the date of 2-28-09, which was seconded by Rep. Ford.

#### DISCUSSION:

Rep. Benn didn't think there needed to be a full report but rather just a study.

Rep. Williams asked the Commissioners how they would proceed. Commissioner Richards said that she is in favor of this route. Supt. Oakes said it may take up to a year and could be next summer before this is taken care of.

The Delegation took a vote on Rep. Pierce's amendment to the motion as stated above.

18 (Reps. Bulis, Taylor, Gionet, Ford, Ladd, Ingbretson, Cooney, Smith, Williams, Preston, Benn, Nordgren, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding) were in favor. 3(Reps. Ward, Aguiar and Friedrich) were opposed. Amendment passes.

Rep. Benn said he feels it would be premature to authorize \$420K before looking at the study.

Rep. Ward said that there was no agreement with WW&L for an MOA prior to the beginning of the water tank project and this will be making the same mistake that was made two years ago.

Rep. Nordgren also felt that working with a two year old cost estimate is premature.

Rep. Taylor suggested leaving \$500K in the fund balance until the study is done and then appropriate the money that's needed.

Rep. Bulis stated that he thought that WW&L customers would be very interested in what their water supply company was doing in that they may lose two very large customers which would put more of a cost to the remaining customers.

Rep. Harding motioned to move the question and was seconded by Rep. Aguiar. Reps Ladd and Ingbretson were opposed, Reps Ward, Bulis, Taylor, Gionet, Ford, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Nordgren, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding were in favor.

The amended motion reads:

that upon Commissioner approval that up to \$420K from the undesignated fund balance be used for development of Grafton County Complex's own water supply as outlined in the hydro geologic site investigation report completed by Hoffer Consulting Inc. dated 2-28-09 and any other studies that the Commissioners may commission and to include other water line infrastructure and delivery needs associated with the Grafton County Water System

6 (Reps Gionet, Ladd, Ingbretson, Cooney, Preston and Laliberte) were in favor while 15 (Reps. Ward, Bulis, Taylor, Ford, Aguiar, Friedrich, Smith, Williams, Benn, Nordgren, Pierce, Mulholland, Townsend, Gould and Harding) were opposed. Motion fails.

Rep. Williams moved to authorize the Commissioners forthwith to proceed to investigate in developing their own water system and to hire a consultant to do what is necessary by October 1, 2010, which was seconded by Rep. Ford.

## DISCUSSION:

Rep. Harding wanted to be sure that this was just a review of the options and not a complete re-studying of the project.

Rep. Ladd questioned what is to be done right now. He said he had concerns about what kind of water is being put out and the dependency on WW&L. Rep. Williams said that is the situation right now and there's not much that can be done about it.

The vote on the motion was taken:

20 (Ward, Bulis, Taylor, Gionet, Ford, Ladd, Ingbretson, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding) were in favor. 0 opposed (Rep. Nordgren out of the room) Motion passes.

Rep. Harding said she didn't feel they should ignore the issue of the liability of the water problem. Commissioner Cryans said he wasn't sure there was any liability as there hasn't been anyone sick at this point. Rep. Harding asked shouldn't the question of why the tank doesn't drain should be important, and Rep. Benn said the situation may be tenuous if the County is asking another firm to investigate. He said they didn't want to convey the message to the consultant that this is about litigation.

Rep. Pierce said the liability goes to whether the tank does what it was built to do. Supt. Oakes said the tank was designed for when the Jail came online. Rep. Taylor said that the tank was designed at the time when there was a larger Jail proposed and now the Jail is smaller.

Rep. Ladd said the tank was built to the size it is because of the need for fire protection and now is being used for drinking water which is quite different in terms of quality regulations.

Rep. Ward said the Dufresne's argument doesn't pass the laugh test. He said that whole design of the Jail was for 300 people but it was going to take 20 years to get to that point, so there would have been a problem for 19 years until they reached that 300<sup>th</sup> person. He said it is not a logical argument and in his opinion there is a liability there. He said that system should work.

The Delegation moved on to the issue of the budget.

Rep. Laliberte moved to appropriate \$32,912,281 for fiscal year 2011 of which \$17,445,268 is to be raised by taxes, which was seconded by rep. Ladd

Rep. Taylor amended the motion to add \$500K back into the fund balance which was seconded by Rep. Ford.

## DISCUSSION:

Director Clough had a spread sheet of information which compared budget numbers and she reviewed these for the Delegation.

Rep. Benn asked what the final surplus number was and Director Clough said it was approximately \$3.8M.

Rep. Benn communicated an email that was sent by Rep. Almy which stated that in her opinion, the surplus should not be raided as there will be upcoming cuts in both State and Federal government. She advised that the fund balance not go below 6% of operating expenses.

Rep. Ward said that surplus numbers have been fluctuating but still growing because of underestimated revenues. He said that money should go towards taxpayers.

Rep. Preston said he supports the amendment and Rep. Ford agreed that they will need the surplus next year as there is a great concern that next year there will be a greater need for that surplus money. Rep. Benn said that he feels that even with the \$500K coming out it would not drop below 6%. Rep. Ladd said however that he worries about next year too. Commissioner Richards echoed that sentiment and Commissioner Cryans said that the Commissioners came back with changes to reduce their recommended budget. He said they try hard not to have the spikes in the taxes and doesn't think it is prudent to use that \$500K.

Rep. Ward said that he doesn't feel that surplus should be grown in the time of a recession and that it is necessary to balance the revenues and the surpluses in order to help the taxpayers. Rep. Ladd thought it was better to think of what might happen down the road.

Rep. Taylor motioned to move the question which was seconded by Rep. Ford. All were in favor.

Vote is on the amendment to add \$500K back into the fund balance.

13 (Reps. Taylor, Ford, Ladd, Cooney, Smith, Preston, Benn, Nordgren, Pierce, Laliberte, Mulholland, Townsend, and Harding) voted in favor, 8 (Reps. Ward, Bulis, Gionet, Ingbretson, Aguiar, Friedrich, Williams and Gould) were opposed. Amendment passes.

Delegation then took the roll call vote to pass the budget in the amount of \$32,912,281 of which \$17,945,268 was to be raised by taxes.

15 (Reps. Taylor, Ford, Ladd, Aguiar, Cooney, Smith, Preston, Benn, Nordgren, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding) were in favor. 6 (Reps. Ward, Bulis, Gionet, Ingbretson, Friedrich and Williams) were opposed. Budget passes.

Rep. Ford moved to expend \$60,475 from the Register of Deeds Surcharge Account for equipment in the Registry which was seconded by Rep. Williams.

21 (Reps. Ward, Bulis, Taylor, Gionet, Ford, Ladd, Ingbretson, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Nordgren, Pierce, Laliberte,

Mulholland, Townsend, Gould and Harding) were in favor. 0 were opposed. Motion passes.

Rep. Nordgren moved to contribute \$56,507 from the Dispatch Fees for fiscal year 2011 to the Dispatch Capital Reserve Fund, which was seconded by Rep. Pierce.

20 (Reps. Ward, Bulis, Taylor, Gionet, Ford, Ladd, Ingbretson, Aguiar, Friedrich, Cooney, Smith, Preston, Benn, Nordgren, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding) were in favor. Rep. Williams was out of the room. Motion passes.

Rep. Bulis moved to expend \$71,358 from the Dispatch Capital Reserve account for equipment for the Dispatch Center, which was seconded by Rep. Taylor.

#### DISCUSSION:

Rep. Bulis asked what Dispatch would be purchasing and Director Andross said that primarily the money would be going toward narrow band transmissions which has been Federally mandated. Money would also be spent on mobile data communications which are in need updating.

When the vote came down, 20 (Reps. Ward, Bulis, Taylor, Gionet, Ford, Ladd, Ingbretson, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Pierce, Laliberte, Mulholland, Townsend, Gould and Harding) were in favor. 0 were opposed. Rep. Nordgren had left. Motion passes.

Rep. Benn moved to establish a Nursing Home Capital Reserve account in the amount of \$25,000 to be taken from the FY10 Pro-Share funds, which was seconded by Rep. Williams.

17 (Reps. Bulis, Taylor, Gionet, Ladd, Ingbretson, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Pierce, Laliberte, Mulholland, Townsend, and Gould) were in favor. 0 opposed. Reps. Ward, Ford, Nordgren, and Harding had left. Motion passes.

Rep. Aguiar motioned to permanently end the practice of compensating Grafton County Elected Officials with longevity pay. This applies to any and all elected officials, including those currently eligible to receive longevity pay under the current practice. Elected officials shall include: the Treasurer, the Register of Deeds, the County Attorney, the Sheriff, the Commissioners and any future elected positions which may be added to the governing body of Grafton County. This policy is to become effective July 26, 2010, which was seconded by Rep. Bulis.

#### DISCUSSION:

Rep. Aguiar discussed what longevity at the County was and said that in prior jobs that he has had, it is generally offered when a person is maxed out on wages or has a low pay to begin with but he feels it is inappropriate that Elected Officials should be receiving this pay. He said to his knowledge, longevity pay has never been voted on by the Delegation who statutorily set the pay for Elected Officials. He said it is not a question of the amount of money being spent or the qualifications of the people but rather the principal. There was a discussion about whether or not this broaches involvement in County policy which is set by the Commissioners. Rep. Aguiar said that he did not agree this had anything to do with that and again stated that longevity is a financial compensation and the Delegation sets that amount.

Sheriff Dutile spoke and said that he had gotten two legal opinions regarding longevity and said that it is a policy set by the Commissioners and not by the Delegation, noting it was similar to health benefits.

Rep. Ladd said he didn't feel that longevity should be changed for anyone who is currently receiving it. Rep. Aguiar reiterated that the body of the Delegation never voted on such.

Rep. Laliberte agreed with Rep. Ladd and said that it shouldn't be changed for those who are already receiving the longevity stipend.

Rep. Benn said he agreed with the concept but thought that it should be amended to use the date of November instead, which would be after the upcoming election.

Commissioner Burton said that he felt this would be treading on the Administration of the Commissioners and felt that the Sheriff and County Attorney (those currently eligible for longevity) are valuable to the County.

Rep. Ingretson thought that those receiving it should be grandfathered in.

The question was called and with a hand vote it was determined that the discussion would continue.

Rep. Harding wanted to think about fairness, particularly if the money was already in the budget. Rep. Ladd said the money is negligible but they would be sending the wrong message. He would like to consider grandfathering in those who currently receive it.

Rep. Bulis moved an amendment to say effective January 1, 2011 as opposed to July 26, 2010, which was seconded by Rep. Taylor. 1 was opposed, all other present were in favor. Amendment passes.

Rep. Ladd moved to amend the motion to change the word "including" to "excluding", which was seconded by Rep. Laliberte. 4 were in favor, all others opposed. Amendment fails.

Vote on the final motion reads:

To permanently end the practice of compensating Grafton County elected officials with longevity pay. This applies to any and all elected officials, including those



currently eligible to receive longevity pay under the current practice. Elected officials shall include: the Treasurer, the Register of Deeds, the County Attorney, the Sheriff, the Commissioners and any future elected positions which may be added to the governing body of Grafton County. This policy is to become effective January 1, 2011.

15 (Reps. Bulis, Taylor, Gionet, Aguiar, Friedrich, Cooney, Smith, Williams, Preston, Benn, Pierce, Mulholland, Townsend, Gould and Harding) were in favor. 3 (Reps. Ladd, Ingbretson and Laliberte) were opposed. Motion passes.

Farm Manager Kimball wanted to thank the members of the Delegation who attended the Open Barn Day for coming to the event and publically thanked everyone who was involved in helping that day and organizing the event. He said it was a great day with a good turn out.

Rep. Aguiar publically thanked Rep. Burton Williams, (who will not be running for office again) for his participation in the Grafton County Delegation and Executive Committee and said he had a very positive influence in County government. Members applauded Rep. Williams.

12:50 PM With no further business the meeting was adjourned.

Respectfully submitted,

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Phil Preston, Clerk