

Grafton County Delegation Vote on FY12 Budget  
Grafton County ~ UNH Conference Room  
North Haverhill, NH  
Monday June 27, 2011

PRESENT: Representatives Aguiar, Almy, Benn, Bradley, Brosseau, Bulis, Cooney, Eaton, Gionet, Gould, Harding, Ladd, Mirski, Nordgren, Pastor-Bodmer, Pierce, Reilly, Simard, Smith, Sorg, Sova, Taylor, Townsend and White. Commissioners Cryans, Burton and Ahern, Executive Director Julie Clough and Sec. Martino

EXCUSED: Representatives Ingbretson and Shackett.

OTHERS: See attached list

10:14 AM ~ Rep. Bulis called the meeting to order and Rep. Sova (Clerk) called the roll. 24 members were present when the roll was called and a quorum was declared. Rep. Bulis asked Rep. Harding to lead the room with the Pledge of Allegiance.

Rep. Bulis noted a couple things before they got into the main topics. He said that they have worked out a way to get the minutes up on the website sooner which was requested. There will be a performance audit at the County and Melanson & Heath have been contracted to do the audit. This will take place in July. A sub committee from the Executive Committee which consisted of Reps. Ladd, Almy and Townsend, worked to put together a set of bylaws which they will be voting on during this meeting.

Rep. Ladd discussed how the bylaws were constructed and went over them. He said that previously, there had not been any by which to govern the committee and that other Counties are now looking these bylaws as something they would like to consider. Rep. Bulis thanked and congratulated the sub-committee for working to present this document for consideration.

Rep. Pierce asked if the Executive Committee had voted on the bylaws to which the answer was yes. He then asked what the principal difference was between Mason Rules and Roberts Rules and Rep. Bulis said that he did not personally know the difference but that they decided to adopt Roberts Rules because they were more familiar to people. Rep. Mirski felt that Masons Rules should be used because that is what they use in Concord and it would provide more consistency. Rep. Ladd said that the public is more familiar with Roberts Rules and that most towns and committees operate by them. He said he thought that Roberts Rules should prevail.

Rep. Ladd moved to approve the proposed bylaws, which was seconded by Rep. Simard.

Rep. Sova moved an amendment which stated the Executive Committee is authorized to modify the bylaws in a motion containing the changed wording, the date of effectiveness and approved by six members of the Executive Committee.

The modified rule shall be in effect until the next meeting of the Delegation, which was seconded by Rep. Mirski.

DISCUSSION:

Rep. Sova said this motion will allow the Executive Committee to make changes if they felt it was necessary and then it would be voted on in total later. Rep. Almy said she was not in favor saying it would give too much power to the Executive Committee and felt that changes should be made by the full Delegation. Rep. Ladd concurred with that.

Rep. Almy suggested a compromise would be to remove the word “new” from the fourth line on page eight.

Rep. Sova withdrew his motion and Rep. Mirski withdrew his second.

Rep. Ladd moved to remove the word “new” from line four on page eight and would like to add that a 2/3rds majority of the present and voting Delegation be added, and to strike lines six to seven on page eight which read “shall be made in accordance with Roberts Rules of Order of Parliamentary Procedure and” which was seconded by Rep. Townsend.

There was a discussion about how the paragraph on page eight should be worded and Rep. Bulis noted that there will be full Delegation meeting scheduled after the performance audit is completed so changes to the bylaws could be made then.

A voice vote was taken and all present were in favor. Motion passes.

Rep. Mirski moved to change Roberts Rules to Masons Rules which was seconded by Rep. Gionet.

DISCUSSION:

Rep. Pierce said he felt they needed to understand the difference between the two before they could make an educated choice. Rep. Mirski said it would be for consistency and he didn't have a real personal choice. Rep. Bulis said he would like to stick to Roberts Rules and Rep. Almy said the bylaws were written with Roberts Rules in mind and she's not sure if they would conflict if changed. Rep. Ladd said again that most people are familiar with Roberts Rules. Rep. Townsend said that the resource information for Masons Rules was not easily obtainable as are Roberts Rules.

Rep. Gionet said he would withdraw his second and Rep. Mirski withdrew his motion.

A voice vote was taken to adopt the bylaws. All present were in favor. Motion passes.

Rep. Bulis said that during the budget process there was a lot of discussion and that everyone worked together toward compromises. He said the final meeting of the Executive Committee ended in a unanimous vote.

Rep. Brosseau moved to appropriate \$35,885,795 for Fiscal Year 2012 of which \$19,409,043 is to be raised by taxes, which was seconded by Rep. White.

DISCUSSION:

Rep. Bulis said that the Nursing Home and the Jail are the largest drivers of this budget and so the Committee chose to begin there. He said after much deliberation they were able to achieve a reduction of almost \$900K and still allow the new Jail to open.

Rep. Aguiar moved to amend the motion and to amend the proposed Grafton County budget by restoring the Registrar of Deeds clerical position as requested by the Commissioners, and making line item adjustments within the budget as described in the Commissioners itemized list, resulting in no net change to the budget, which was seconded by Rep. Sova. A voice vote was taken and all present were in favor. Amendment passes.

Rep. Mirski said that he found it disturbing the way the new Jail is imposing on the County in the way of costs and he felt they needed to get a hold of that going forward. Rep. Sorg agreed with Rep. Mirski. He added that everyone must recognize the even split in the Delegation and he for one appreciated the compromises.

Rep. Almy said they have a 19<sup>th</sup> Century Jail which could result in a lawsuit if they remained in it and an incident occurred. She also noted that Grafton County has the third lowest spending per capita in the State and even with the new Jail will remain so. She said that this County doesn't waste money and never has. She said the Commissioners and the Delegation have done a good job in the past.

Rep. Bulis said the Executive Committee will continue to review the process of the Jail. Rep. White said there were a lot of contemplations over the Jail but they realized they had to move on.

Rep. Cooney asked if anything was affected by HB2 on the revenue side. Director Clough said that the Medicaid rate has gone up and adjustments were made to the Human Service budget because of MQIP. She said those were two of the biggest revenue factors.

Rep. Pierce asked if there was any downshifting and Director Clough said that the changes to the Retirement System still need to be seen in regards to costs.

Rep. Ladd said they really struggled with this budget and noted they were looking at an aging population and towns with higher expenses. He said that they can't keep spending in future years and feels that this budget is appropriate in light of where the taxpayers are today.

Rep. Pierce moved that the motion that Rep. Aguiar made regarding the Commissioners proposed amendment changes be attached to the minutes which was seconded by Rep. Mirski. A voice vote was taken and all were in favor. Motion passes.

A roll call vote was taken on the budget motion. (to appropriate \$35,885,795 for Fiscal Year 2012 of which \$19,409,043 is to be raised by taxes) All members present were in favor. Budget passes.

Motion to Pass Over agenda item #4, a continuing resolution, passed with all in favor.

11:20 AM Rep. Bulis called a recess.

11:32 AM Rep. Bulis called the meeting back to order.

For the following motions, voice votes were taken

Rep. Bradley moved to expend \$27,287 from the Register of Deeds Surcharge Account for equipment in the Registry which was seconded by Rep. Brosseau. All members present were in favor. Motion passes.

Rep. Sorg moved to contribute \$56,507 from the Dispatch Fees for fiscal year 2011 to the Dispatch Capital Reserve Fund which was seconded by Rep. Brosseau. All members present were in favor. Motion passes

Rep. Sova moved to expend \$44,200 from the Dispatch Capital Reserve account for equipment for the Dispatch Center which was seconded by Rep. White. All members present were in favor. Motion passes

Rep. Almy moved to expend \$7,305 from the Nursing Home Capital Reserve account for equipment for the Nursing Home which was seconded by Rep. Sova. All members present were in favor. Motion passes

Rep. Almy moved to contribute \$25,000 to the Nursing Home Capital Reserve account from the Medicaid Pro-Share funds which was seconded by Rep. Sova. All members present were in favor. Motion passes

Rep. Reilly moved to authorize Tax Anticipation Notes in the amount of up to \$5,000,000 which was seconded by Rep. Brosseau.

DISCUSSION:

Rep. Pierce asked if that was a proper amount of money and Director Clough said that it's the same amount as last year and they didn't need to use the full amount. She said they shouldn't need more. She added that they won't borrow until September or October and the TANs get paid back in December when taxes are received.

When asked how banks are selected, Treasurer Elliott said that letters are sent to all banks in Grafton County in order to get the best rates. She said that there are times when she splits the money between banks.

When the vote was taken, all members present were in favor. Motion passes

Rep. Ladd moved to adopt the following policy regarding the acceptance of grants: The Delegation authorizes the County Commissioners to apply for, accept and expend federal and/or state grants. The Commissioners will provide quarterly a report to the Executive Committee that details all grants applied for and or awarded. A list of all grants received during the fiscal year will be given to Delegation for review at the annual budget meeting, which was seconded by Rep. Sova. All members present were in favor. Motion passes

Commissioner Burton arrived

Rep. Ladd moved a non binding resolution on the Northern Pass that Eminent domain as a right of public use shall not be used by a private, for profit, participant funded transmission line or facility without prior approval of the New Hampshire General Court, which was seconded by Rep. Simard.

DISCUSSION:

Rep. Ladd asked that the resolution be inserted in Chapter 498-A, Eminent Domain Procedure Act-VII Public Use. Part (b)-, and in accordance with Article 12a, NH Constitution.

Rep. Ladd discussed the Bill in the House regarding eminent domain.

Rep. Pastor Bodmer said she would like to table the motion and Rep. Bulis said that he had a sense that the Delegation members wanted more discussion first. Rep. Harding wanted to know why Rep. Pastor Bodmer wanted the resolution tabled and she replied that she thought it was premature to take a vote on this while there was still work being done on a State level.

Rep. Pierce said that if this was coming into legislation then he would rather not go on record as voting for it since there would be a whole procedure that needed to be followed. He suggested that they consider going on record as supporting what the Commissioners stated.

There was considerable discussion as to whether or not this was the resolution they wanted to support or if they wanted to make a broader statement and not focus on the eminent domain.

Director Clough read the Commissioners motion from the March 22<sup>nd</sup> meeting.

Commissioner Burton moved that the Grafton County Board of Commissioners oppose the Northern Pass project as proposed which was seconded by Commissioner Ahern.

Rep. White suggested that to vote as a group on the same motion as the Commissioners, doesn't put anyone out on a limb.

Rep. Ladd said that the project has changed since March and stated again that he felt that eminent domain needed to be addressed.

Rep. Pastor Bodmer moved to table the resolution which was seconded by Rep. Sova. A roll call vote was taken. 7 Reps. (Almy, Benn, Harding, Nordgren, Pastor-Bodmer, Pierce, and White) were in favor, 16 Reps.(Aguiar, Bradley, Brosseau, Bulis, Cooney, Eaton, Gionet, Gould, Ladd, Mirski, Reilly, Simard, Smith, Sorg, Sova and Taylor) were opposed. Motion fails.

There was continued discussion.

The resolution was amended by Rep. Nordgren and seconded by Rep. Sova, to say: The Grafton County Delegation affirms the Grafton County Commissioners actions to oppose implementation of the Northern Pass project in any form proposed to date.

#### DISCUSSION:

This amendment would completely overwrite the resolution presented by Rep. Ladd.

Rep. Simard motioned to move the question and was seconded by Rep. Reilly. In a voice vote, all were in favor.

A roll call vote was taken on the amended resolution 13 Reps. (Almy, Brosseau, Bulis, Cooney, Eaton, Gould, Harding, Nordgren, Pastor-Bodmer, Pierce, Sova, Taylor and White. 10 Reps. (Aguiar, Benn, Bradley, Gionet, Ladd, Mirski, Reilly, Simard, Smith and Sorg) were opposed. Amendment to resolution passes.

A voice vote was taken to adopt the motion as amended, which passed.

Rep. Ladd moved to resolve that the Grafton County Delegation supports in principle, that eminent domain as a right of public use shall not be used by a private, for profit, participant funded transmission line or facility, which was seconded by Rep. Smith

#### DISCUSSION:

Rep. Nordgren said that this still seems like more of a legislation issue than a resolution and Rep. Almy said that by adding "in principle", it takes it back.

A roll call vote was taken. 20 Reps. (Aguiar, Almy, Bradley, Brosseau, Bulis, Cooney, Eaton, Gionet, Gould, Harding, Ladd, Mirski, Pierce, Reilly, Simard, Smith, Sorg, Sova, Taylor and White) were in favor. 3 Reps. (Benn, Nordgren and Pastor-Bodmer) were opposed. Resolution passes.

Rep. Eaton stated that the County was fortunate to have the staff they do at the Nursing Home and thanked both Director Clough and Supt. Libby for their dedication regarding the new Jail.

Rep. Cooney suggested that the Executive Committee look into the types of motions that would require roll call votes.

Rep. Ladd moved that the Delegation direct the Executive Committee or sub-committee to conduct a study of the Correctional Facility programming and staffing to include but not be limited to, privatization and sub contracting services, which was seconded by Rep. Brosseau.

DISCUSSION:

Rep. Ladd said he feels it is important to have efficient staffing and programming in Corrections and feels that the County needs to take a healthy look at this. He said he would like to see if there are ways to save money.

Rep. Almy said the performance audit will look at the costs of the new Jail but training needs to begin in October. She questioned the timing of this.

Director Clough asked if this was really a role of the Delegation.

Rep. White said it really needs to be looked at, particularly to see if there may be other alternatives.

Rep. Aguiar said if he were outside the County looking for advice, he would contact Supt. Libby.

Rep. Almy said she was a little fuzzy on what this meant, since they just passed the budget. Rep. Ladd said what's in the budget is only for a portion of the year. He stated that he needed more understanding.

Rep. Harding said it is important to hear from Supt. Libby regarding staffing. She said that he has attended many informational consultations about staffing which have provided specifics for staffing. She said they really need to look at the big picture.

Rep. Bulis suggested having Supt. Libby in when they meet to discuss the performance audit.

Rep. Almy said it would be good if some of the Executive Committee could read through all the information that had been put together since 2005. Rep. Simard said he would encourage people to get this information.

Director Clough said that the Administration wants the Delegation to understand and it is important to know that far more staff is needed to open the facility than what has been given. She said she has concerns for safety and security and reminded everyone that the County is required by law to operate a Jail. She said she welcomes working together with the Delegation to help them understand and has plenty of information to do so.

Rep. Brosseau said he still doesn't understand the concept of needing as many staff members for a lesser number of inmates. He also stated that he didn't think that Supt. Libby was interested in working with the Executive Committee. Director Clough pointed out that \$350K in cuts came from Corrections via Supt. Libby.

A roll call vote was taken on Rep. Ladd's motion. 20 Reps. (Almy, Benn, Bradley, Brosseau, Bulis, Cooney, Eaton, Gionet, Gould, Harding, Ladd, Mirski, Pierce, Reilly, Simard, Smith, Sorg, Sova, Taylor and White) were in favor and 1 Rep. (Aguiar) was opposed.

Rep. Harding said the Delegation appreciated all the hard work the Executive Committee did on the budget and she enjoyed the collegial discussions.

Rep. Bulis said they worked together as a group and he thanked the Executive Committee.

Register of Deeds Kelley Monahan was recognized and she gave a statement wherein she noted she felt that the money that was coming out of the surcharge account to be used for the cost of software did not show the proper way to account for that cost and therefore was in conflict with RSA 478:17j 11 c and that removing the fire suppression system did not allow her to protect documents properly as in RSA 478:1

Rep. Bulis said that in regard to the fire suppression system, there appeared to be conflicting issues as to the system alleviating the problem with water getting into the area and the Committee felt it would not solve the problem. He suggested that RD Monahan work with Maintenance Supt. Oakes for a better solution.

1:40 PM ~ With no other business, Rep. Gionet moved to adjourn which was seconded by Rep. White. All present were in favor.

Respectfully submitted

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Charles Sova, Clerk