

GRAFTON COUNTY COMMISSIONERS' MEETING  
3855 Dartmouth College Hwy.  
North Haverhill, NH 03774  
Tuesday August 21, 2012

PRESENT: Commissioners Cryans, Omer C. Ahern, Jr. and Ray Burton, Executive Director Clough and Secretary Martino

**Human Resource Director Mike Simpson and Nursing Home Administrator Craig Labore** arrived.

Attorney Elizabeth Olcott arrived along with employee Frank Cole.

9:05 AM Commissioner Cryans called the meeting to order and the Pledge of Allegiance was recited.

\*9:06 - Commissioner Ahern then 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 Burton seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Ahern "yes"; Commissioner Burton "yes" Commissioner Cryans "yes"; Commissioner Cryans stated that a majority of the board voted yes and would now go into non-public session.

\*10:03 AM- Commissioner Cryans declared the meeting back in public session.

Commissioner Ahern moved to seal the minutes from the non-public session which was seconded by Commissioner Burton. All were in favor.

Attorney Olcott thanked the Commissioners for their time and the Board of Commissioners said they wanted some time to consider things before making any decisions on the recommendation of the Nursing Home Administrator.

NHA Labore presented an overnight travel request for the Health Information Manager to partake in an American Health Tech seminar on new coding of medical billing. The information is necessary to properly bill in the new system. This will be a two night three day seminar in state and will allow the HIM to train her staff. Cost of the seminar is \$1995 which does not include room and meals. Amount was budgeted.

Commissioner Burton moved to approve the overnight travel which was seconded by Commissioner Ahern. All were in favor.

**Jules Chatot from Banwell Architects and Richard Thompson Maintenance Assistance** arrived to discuss the recommendation for the general contractor for the biomass project.

MA Thompson passed out some spreadsheets which offered information on the various companies who submitted bids.

Commissioner Cryans asked J. Chatot about working with the companies and he said that Banwell has worked with all of them and feels the County is in a good situation with any of the choices.

McMillan is the low bidder and Supt. Oakes (who is currently away) had some concerns about their financials. Once they were looked into it was discovered that they had been purchased by DEW out of Vermont and now are very solvent, so there should be no issue. MA Thompson said that DEW is one of the largest general contractors in Vermont. J. Chatot said they had done a number of projects with DEW in the past and find them fully capable.

There was some further discussion.

Commissioner Ahern said he wanted to see the specific contract that the winning bidder would be signing before he approves anything. Director Clough said that the contract is usually negotiated between the County and the contractor first so there may be some changes. Commissioner Ahern said he wanted to make sure there was a meeting of the minds before he agrees to anything. Commissioner Cryans asked Commissioner Ahern if he had received the contract last week from Supt. Oakes when he asked him for it and he replied that he received a big package of information but he didn't have time to read it or go through it to look for the contract. Director Clough said the contract was part of the bid package documents that he received from Supt. Oakes who brought it to him at last week's meeting.

There was a discussion about the timeline of the project. Commissioner Ahern said he would be ready to vote on this next week. Director Clough said Supt. Oakes is scheduled to meet with them next week anyway.

**Representative Rick Ladd** arrived

**Grafton County Economic Development Executive Director Mark Scarano** arrived to request that the County be the applicant for a CDBG grant with NH Regional Community Development Alliance as the sub-recipient. M. Scarano said if the County is in agreement with that then he would request that the County hold a public hearing regarding the grant.

Commissioner Burton asked what would be done with the money and M. Scarano said that it would go to things like staff funds and rent. The money would be parsed out to all ten regional Economic Development Councils and Grafton County would receive around \$19,300.

Commissioner Burton said he supports the request and Commissioner Cryans said that he felt that M. Scarano does a terrific job and will also support the grant.

All three Commissioners concurred and the County will schedule a public hearing.

M. Scarano then gave the Commissioners an update on current projects. He said that the grant funded North Country Workplace Organization was doing very well with 25 businesses taking part. There have been 40 internship opportunities which are available

and 46 interns have graduated so far. He said that the programs are working so well that some of the businesses are considering creating college internships.

DRTC is largely complete and MERC Pharmaceuticals is the anchor tenant in the building. He said the grant funded spaces are almost complete.

There is a lot of work going on in the Enterprise Center in Plymouth. Cobb Hill Construction out of Concord is the general contractors and Alba Architects from Woodstock are designing the changes. Narrative One, a software company out of Holderness will become the anchor tenant.

M. Scarano said that he is on the interview team to hire the new Director of the Center and presented the Commissioners with a picture of the design which is to be completed by July first of next year.

11:00 AM the Commissioners recessed the meeting to meet with Commissioner of Corrections William Wrenn and Commissioner of Agriculture Lorraine Merrill at the Farmstand

11:35 AM the Commissioners resumed their meeting

Commissioner Cryans asked if everyone had a chance to read the minutes and had any edits or correction. Commissioner Ahern had an edit.

Commissioner Burton moved to approve the minutes as amended which was seconded by Commissioner Ahern. All were in favor.

The Commissioners signed the check registers.

Sealed bids were received for two Sheriff's cruisers that were to be sold. Bids were as follows:

<u>Bidder</u>	<u>2008 Cruiser</u>	<u>2009 Cruiser</u>
Fred Coley	\$1195	\$1256
Robert Rowley	\$1257	\$1257
Grace Quality Used Cars	\$1248	\$2148
Wm. Doucette Auto	\$1212	\$1717
<b>Bay Ridge Motors</b>	<b>\$1567</b>	<b>\$2579</b>

Commissioner Ahern moved to accept the high bids from Bay Ridge Motors for both the 2008 and 2009 Sheriff cruiser which was seconded by Commissioner Burton. All were in favor.

Director Clough informed the Commissioners that there would be a going away reception for B. Colpitts in the UNH Conference room on the 27<sup>th</sup> of August from 3:00 to 5:30 and the UNH Advisory Committee meeting would begin at 6:00.

Director Clough presented a request for Educational Assistance from a staff member at the Attorney's Office who is going for her Bachelor's degree. The class is in Financial Accounting and begins in September.

Commissioner Ahern moved to approve the educational assistance which was seconded by Commissioner Burton. All were in favor.

The Commissioners were given the information they needed to complete the evaluations of the Department Heads. Director Clough said that she would like to see the drafts done by the 4<sup>th</sup> of Sept so they can be discussed.

### **COMMISSIONER ISSUES:**

Commissioner Burton said that he had read the email from Drug Court Coordinator Bob Gasser and his request that there be a County sign put up to direct people to the building which houses the Drug Court. He said he supported that. Commissioner Ahern asked how that would be paid for. Director Clough said that the County signs are very expensive and she's not necessarily in agreement with purchasing a sign for that building. Commissioner Cryans said he's not sure why the Drug Court needs to have a sign for that function and opposed the request. Commissioner Ahern was not in favor of it either.

Commissioner Ahern said he doesn't feel that the County should be paying for the phone/fax/internet for Bob Gasser. Commissioner Cryans said he spoke to B. Gasser about that and said that there was no written agreement when he was hired but there was a verbal agreement at the time. There was a discussion about how that should be handled. Commissioner Cryans said that the decision was made to pay for those things prior to the Drug Court being up and running and before there was designated place to work out of. At the time B. Gasser was setting things up at home but now the situation is a little different. Commissioner Cryans asked if there were other cell phones that the County pays for and Director Clough said there were. The same question was asked about fax machine and the internet and Director Clough responded that there were no other employees receiving that benefit. Commissioner Ahern said he is aware that other employees use those functions and thought that there should be fairness amongst all employees.

Commissioner Burton said that it would be best to discuss this directly with B. Gasser and he would like to have a status report of the Drug Court program.

Commissioner Ahern thought that the razor wire and the old file cabinets that are piled outside the old Jail pose a hazard and should be removed. He said he has already mentioned that to Supt. Libby.

Commissioner Burton said he had sent an email to Supt. Libby, Supt. Oakes and Director Clough regarding the disposition of unused items in the old Jail and what was to be done with them.

Commissioner Cryans noted that the Commissioners were joined at the Farmstand gathering by not only Commissioners Wrenn and Merrill, but also current Representative

Rick Ladd and residents running for legislative office, Sue Ford and Linda Lauer. Also in attendance were Superintendent Libby, Corrections Sergeant Webster, Farm Manager Kimball and Director Clough.

Commissioner Ahern said he had some time to consider the recommendation of NHA Labore and to read the affidavits that were presented to them. He asked if this is something that should be discussed in non-public session and Director Clough said that according to the HR Director, deliberations need to be in public session unless the Commissioners wish to confer with an attorney, which could be available to them today if they wanted. The Commissioners did not feel that was necessary.

Commissioner Ahern moved to not support the recommendation and actions taken by the Nursing Home Administrator and HR Director which was seconded by Commissioner Burton.

DISCUSSION:

Commissioner Ahern said that the action taken was in contrast to what was written in the employee manual.

Commissioner Burton asked what happens next and Director Clough said that if the Commissioners did not support the recommendation then the employee would receive a letter of decision and would be reimbursed for the days that were not paid. If the Board supports the decision, the employee has the right to bring an appeal to the Personnel Committee, which the employee has already stated he would do.

Commissioner Burton said he was concerned about the employee being on FMLA. Director Clough said the suspension was served and then the employee took FMLA after that so has not been back to work. FMLA could continue for 12 weeks and then the County does offer another 4 week extension after that if that was medically necessary. She said if an employee is unable to return to work after that amount of time the County is not obligated to hold the position open.

Commissioner Burton said he did not feel the evidence came down on the side of Administration.

Commissioner Cryans said he was concerned about some of the things that “may” have been said and asked Director Clough for her opinion. She replied that she did not want to taint the decision of the Commissioners. Commissioner Cryans assured her that would not happen. Director Clough said that the Commissioners have heard both sides of the story and it is now up to them to make the decision. She also stated that administratively there will be some adjustments made to the process to ensure that this goes more smoothly in the future.

When the vote was taken, all were in favor.

\*12:00 PM – Commissioner Ahern moved to enter into non-public session for the purposes of discussing matters which, if discussed in public, would likely affect adversely the reputation of any person according to RSA 91-A:3, II (c).

Commissioner Burton seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Ahern “yes”; Commissioner Burton “yes” Commissioner Cryans “yes”; Commissioner Cryans stated that a majority of the board voted yes and we will now go into non-public session.

\*12:35 PM– Commissioner Cryans declared the meeting back in public session.

Commissioner Ahern moved to seal the minutes of the non-public session which was seconded by Commissioner Burton. All were in favor.

12:36 PM With no further business the meeting adjourned.

Respectfully,

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Raymond S. Burton, Clerk