

GRAFTON COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Highway
North Haverhill, NH 03774
November 24, 2020

PRESENT: Commissioners Lauer, Piper, Morris, County Administrator Libby and Administrative Assistant Norcross

OTHERS PRESENT: HR Director Clough, County Attorney Hornick, IT Manager Ruggles, DoC Supt. Elliott AS Director DePalo, Commissioner Elect Ahern.

Commissioner Lauer called the meeting to order at 9:00 AM and began with the Pledge of Allegiance.

Commissioner Lauer read the following statement:

GRAFTON COUNTY
RIGHT-TO-KNOW LAW MEETING CHECKLIST

As Chair of the Grafton County Commissioners, due to COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Board is authorized to meet electronically.

Please note that there is a physical location to observe and listen contemporaneously to the meeting, at 3855 Dartmouth College Highway, No. Haverhill, NH. However, in accordance with the Emergency Order, this is to confirm we are:

- a) Providing public access to the meeting by telephone, with additional possibilities by video or other electronic means;
 - a. We are utilizing the Zoom platform for the electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in the meeting through dialing the following phone 1 646 558 8656 and using Meeting ID 849 3770 5955 with password: 177096, or by clicking the following website address: www.co.grafton.nh.us
- b) Providing public notice of the necessary information for accessing this meeting:
 - a. We previously gave notice to the public of how to access the meeting using Zoom and instructions are provided on the Grafton County website at: www.co.grafton.nh.us.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:
 - a. If anybody has a problem, please call Julie Libby at (603) 496-7731 or email at: jlibby@co.grafton.nh.us.
- d) Adjourning the meeting if the public is unable to access the meeting:

- a. In the event that the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

Commissioner Lauer called the attendance roll call. Commissioner Piper "here" and there is no one in the room with her during this meeting. Commissioner Morris "here" and there is no one in the room with her during this meeting, Commissioner Lauer "here" and she is at the Grafton County Complex.

CA Libby stated that she wanted to give the Commissioners an update on the Registry of Deeds. HR Director Clough spoke to Public Health. They have said that the entire Registry of Deeds staff that was in the office Wednesday – Friday last week must quarantine for fourteen (14) days but because they are considered essential, they are allowing them to be minimally staffed to keep the office running. There are two (2) staff members that will be allowed to come to work but other than that they are to quarantine. The office is closed to the public but the two staff members are receiving and filing recordings. They have been told that there is a very low threshold and that if they have any symptoms they are to leave work and that they should be tested. They are contained within the Deed's office, they are not punching the time clock, using the public bathrooms or public entrance. No one is allowed into the Registry of Deeds for the 14 days. Register Monahan has made a request to set up call forwarding from the office to staff members at home. CA Libby stated that this will be good to come up with a plan in the event that this happens to other offices at the complex. She gave a huge thank you to HR Director Clough for doing a tremendous amount of work over the weekend and yesterday working with Public Health and the Register of Deeds.

IT Manager Ruggles arrived and gave the following report:

Grafton County Department of Information Technology
Monthly Summary Report's
11-24-20

Summary:

The IT department lost 2 of its staff out 2 weeks each last month due to Covid, both had to go home for quarantine.

Falling behind on scheduled budgeted projects due to the many various other IT related items being procured with Cares Act Money or needs or changes at other Departments that require IT staff involvement due to Covid.

NH - 16 new WIFI Access Points to be configured, start setup of new units, this is a Cares Act

e) Community Work Program: Sergeant Griffin is set to return next week. Sgt. Harness is still filling in for him. She has been working on the farm helping with the daily chores. There will be no work details out in the community until further notice.

f) Transports: For the month of October staff conducted 13 transports.

- 0 transports to a treatment facility.
- 0 medical transports for inmate medical needs/doctor's appointments.
- 13 courtesy rides home for inmates being released that could not find a ride for themselves.

FIRRM Program

2 current participants

Level 1 – 0

Level 2 – 0

Level 3 - 2

Programs Department Report:

For the month of October, the Programs Department provided various services to over 18 different inmates for approximately 377 hours. These services include SUD groups, individual counseling and HISET. The majority of these hours came from the following services broken down below.

Individual Counseling: 22 total hours

Female – 4 hours

Male – 18 hours

SUD Treatment Groups: 347 total hours

Female – 79 hours

Male – 268 hours

Medical Department Report: For the month of October there were four psychiatric clinic days with a total of 35 patient encounters.

General

1) PREA Audit - November 9th – 11th. Supt. Elliott stated that the woman who performed the audit was very thorough and good. She was impressed with the cleanliness of the building, the knowledge of the staff, positive culture and the good reports from the inmates. He stated that it looks like they are on track to be PREA certified in the beginning of 2021. This will open up more opportunities for the Department of Corrections in terms of grants and receiving federal inmates. The Commissioners thanked Supt. Elliott and his staff for all of their hard work in making this happen.

MOTION: * 9:23 AM Commissioner Piper moved to enter into non-public session for the purposes of the dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted pursuant to RSA 91-A: 3, II (a) Commissioner Morris seconded the motion. This motion requires a roll call vote. Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

* 9:35 AM Commissioner Lauer declared the meeting back in public session.

MOTION: Commissioner Piper 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 Morris seconded the motion. Commissioner Lauer called the roll. Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer “yes”. Commissioner Lauer stated that a majority of the board voted “yes” and the motion passes.

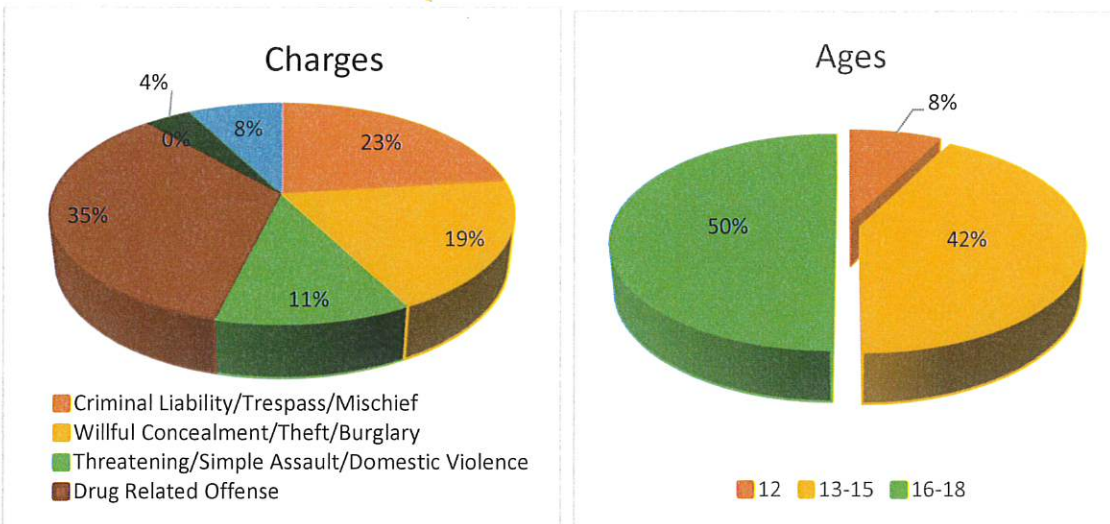
AS Director DePalo arrived and gave the following report:

Director’s Report: Alternative Sentencing staff continue to work in the office and remotely as school schedules has hindered the ability for some staff to return full time. As of 9/3/2020 NH Healthy Families has approved our LADC to be enrolled as a provider. We have been approved and begun billing VT Medicaid as of October 1, although we can back bill for services in September. As we have opened all of our locations, we have quite a few individuals who continue to request tele-meetings due to fear of COVID. We are allowing both in person and tele-meetings as appropriate on an individual basis. AS staff have been monitoring COVID cases in the county to ensure we are making the best decisions for our staff, participants and the community.

Juvenile Restorative Justice

Grafton County Juvenile Restorative Justice Program is to promote community-based alternatives to the formal court process that; promote positive youth development, safer communities, integrates restorative justice practices, intervenes at the earliest possible opportunity and promotes reduction in juvenile crime and recidivism

Program	Active Participants	New Participants	Completed	Cases Returned
CADY	3	1	0	0
VCD	16	0	3	0
GCJRJ	1	0	1	0
COOS	1	0	0	0
TOTALS	21	1	4	0

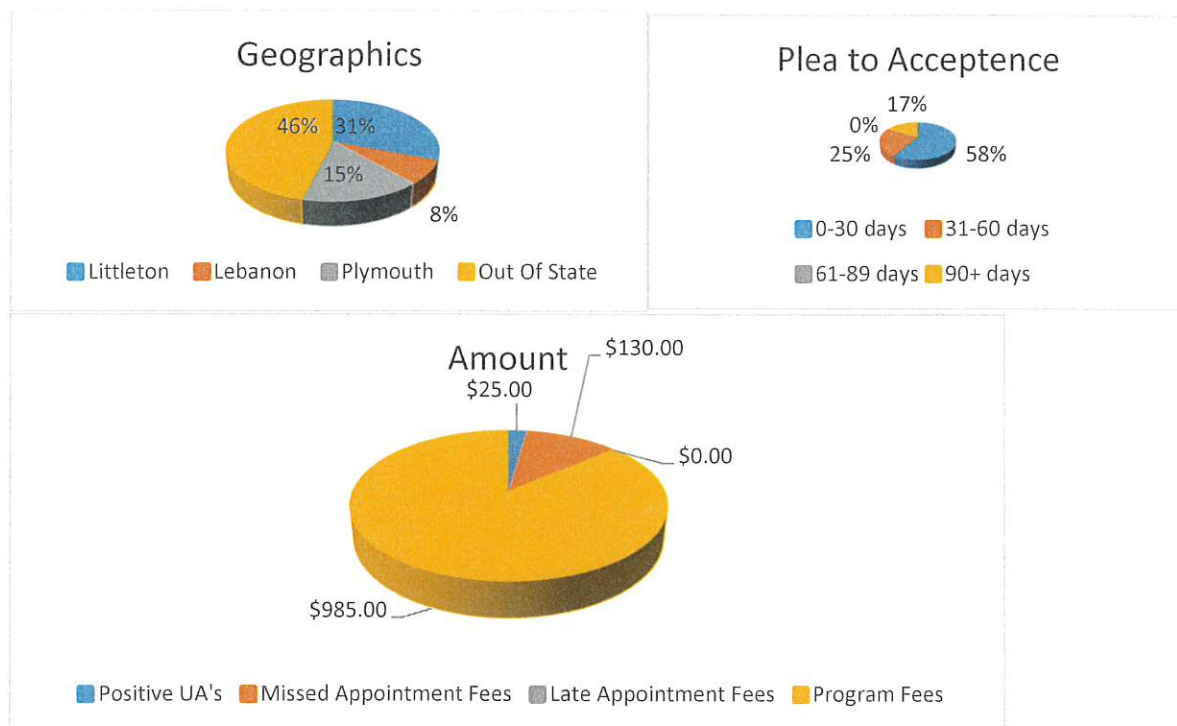


Juvenile numbers remain low throughout the county. With the courts remaining closed there has been a lack of referrals as many departments are referring after adjudication. We have one participant from Coos County at this time, with multiple discussions happening regarding new referrals. The Director continues to network within Coos County and meet police department juvenile officers in hopes to increase the buy-in with the program. The Director has been engaging more Grafton County police departments as the majority of referrals are coming from Littleton.

Adult Diversion & Program

Grafton County Adult Diversion Program is to hold an eligible offender accountable while providing the resources, skills, and education to reduce the risk of committing crimes in the future. This program is an alternative to prosecution and offers a defendant a chance to avoid criminal conviction and other punitive sanctions including fines, probation and incarceration.

Program	Active Participants	New Participants	Graduated	Fees	Prospective Participants
Felony	10	0	0	\$1145	2
Misdemeanor	2	0	0	\$100	0



There have not been many changes with Adult Diversion this month. Participants have continued to participate in virtual meetings and conferences which has been well received and seems to be working well for all involved. There are a few participants that we have begun to be seen in person which has been working out wonderfully.

We have seen a decrease in referrals during the COVID-19 pandemic, likely due to limited Superior Court hearings. We continue to inform the County Attorney's office of our availability and will work with them when courts resume to ensure all appropriate individuals are placed in the programs accordingly.

Community service has been an issue over the past few months due to COVID restrictions, we have found a need to become more creative with ways individuals can obtain hours. Some participants have begun cleaning up the streets and taking pictures as proof, others are purchasing food and donating to local shelters while some have started blogs or written essays in regards to the impact of their decisions on the community, their families and themselves.

We began our Relapse Prevention Program which currently has 6 participants. The participants seemed to be very engaged and enjoying the group thus far. We have begun creating an IOP curriculum in hopes to bring an IOP program to this area.

The team updated handbooks and contracts to reflect the increase in program fees and add new programs we have added, these went into effect this month.

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

The Grafton County C.A.R.E+ Program designed to support individuals who have been convicted and are under supervision to connect to services and stay active in a therapeutic environment. C.A.R.E+ stands for Community, Assessment, Re-Entry and Education + Supervision, the focus of this program is to assist individuals in giving back to their community while creating a successful foundation and becoming a productive member of society.

Program	Current	New	Completed	Program Fees	Prospective
C.A.R.E	8	1	3	\$0	4
C.A.R.E+		1			0

C.A.R.E has been a great addition to the Alternative Sentencing Programs, while offering support to probation and parole we have increased our community connections through the needs of the participants. We have been working with Farnum on a regular basis to ensure those who need inpatient are able to get in within a timely fashion and have increased communications with community mental health providers as well as primary care.

This month we enrolled our first C.A.R.E+ client in the program. Getting this participant into the program took a lot of communication and hard work from the GCDoc, GCA and GCAS. It was a great opportunity to overcome the challenges and exploit the positives of working together.

Mental Health Court

Grafton County Mental Health Court seeks to provide an effective and meaningful alternative to the traditional criminal justice system for individuals with a mental health illness. Our goal is to promote prompt intervention, education, treatment and recovery in order to improve the quality of the individual's life, reduce recidivism and improve community safety

Location	Active Participants	New Participants	Veteran Participants	Prospective Participants	Completed
ASSERT Littleton	4	2	0	4	0
HOH Lebanon	10	0	3	4	0
PMHC Plymouth	5	1	0	6	0
TOTALS	19	3	3	14	0

MHC has continued to accept referrals throughout the COVID-19 pandemic. We are providing telehealth treatment and holding bi-monthly tele-meetings with the MHC teams and participants. We continue to struggle to find participants housing/shelter and treatment services are not adequate at this time. We have seen an increase in drug and alcohol relapses as well as mental health crises. Although we are seeing increases in negative behaviors, we are also seeing many participants that are thriving and overcoming the challenges being presented by COVID-19, mental illness and SUD. Our Mental Health Coordinator has been able to get back into the Plymouth office and meet with participants. This has been extremely helpful for many that are struggling with increased Mental Health issues and substance abuse relapses.

MHC Coordinator and the Director met with each area Mental Health Agencies we contract with for case management services to discuss our contracts and the needs of our participants. There will be follow-up meetings with each agency in December to discuss areas of concern.

Budget Report

Please note October BDAS billing cannot be released as BDAS has not allocated funds for our contract year. Once those funds are allocated, we will be able to release and bill for these services.

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
JRJ	\$100	\$100	---	---	\$3000	---	\$4000	---	---	\$100
AD	\$520	\$670	\$190	\$40	\$937.3 0	\$330	\$70	\$425	\$1650	\$985
MISSE D	\$25	---	\$25	---	---	\$50	---	---	\$170	\$130
LATE	---	---	---	---	---	---	---	---	\$15	
+ UA's	\$50	\$125	\$100	---	---	---	---	\$25	\$225	\$25
MRT	\$65	\$35	---	\$5	\$5	\$35	\$70	---	\$35	\$105
CARE	---	---	---	---	---	---	---	---	---	---
MISSE D	---	---	---	---	---	---	---	---	---	---
+ UA's	---	---	---	---	---	---	---	---	---	---
BDAS	\$5525. 30	\$3923. 70	\$3807. 10	\$5573. 70	\$5898. 20	\$5124. 90	\$3998. 50	\$1656. 60	\$1885. 40	\$3147. 10
Totals	\$6285. 30	\$4853. 70	\$4122. 10	\$5618. 70	\$9840. 50	\$5539. 90	\$8138. 50	\$2106. 60	\$3980. 40	\$4492. 10

Friendship House – AS Director DePalo stated that it has been confirmed that no one has shown interest in the Friendship House and that they are no longer taking any clients. They have a transition plan for current clients. She has some major concerns as the Friendship House is one of their only sobriety houses in the area and it is looking like they will be closing in December. They were a transition into sober living. She asked what the County is going to do with these clients, the longer the pandemic goes the less room there will be for people and the longer it will take to get people into these programs. The Commissioners and AS Director DePalo further discussed the issue and AS Director DePalo stated that she would keep them informed, as she knows more.

AS Director DePalo asked how and when the Commissioners want her to send out information regarding the upcoming changes to the Restorative Justice programs. The Commissioners agreed to have AS Director DePalo send out a letter letting them know; explaining what will be happening and setting up a meeting as a courtesy to them to allow discussion.

AS Director DePalo stated that all of her meetings with the Mental Health agencies have gone great. They were very transparent conversations as to why changes are being made and they will continue to have follow up meetings.

AS Director DePalo stated she is requesting approval to close their office on Christmas Eve. Her hourly staff would like to take the day as earned time and the salaried employees will work remotely.

MOTION: Commissioner Piper moved to close the Alternative Sentencing Office on December 24th. Commissioner Morris seconded the motion. Commissioner Lauer called the roll. Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer “yes”. Commissioner Lauer stated that a majority of the board voted “yes” and the motion passes.

County Attorney Hornick arrived and requested a nonpublic session

MOTION: * 10:03 AM Commissioner Piper moved to enter into non-public session for the purposes of the dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted pursuant to RSA 91-A: 3, II (a) Commissioner Morris seconded the motion. This motion requires a roll call vote. Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

* 10:25 AM Commissioner Lauer declared the meeting back in public session.

MOTION: Commissioner Piper 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 Morris seconded the motion. Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer “yes”. Commissioner Lauer stated that a majority of the board voted “yes” and the motion passes.

HR Director Clough arrived, and the Commissioners requested to discuss the County Attorney’s request with her.

Commissioner Lauer stated that Atty. Hornick has asked for an out of cycle step increase for one of her employees. HR Director Clough stated that she has discussed this with Atty. Hornick but that they have not discussed the fact that none of these attorneys have had performance evaluations completed. HR does not have evaluations on file. Atty. Hornick stated that she will provide these to HR. Commissioner Piper stated that this out of cycle step increase is being based on experience which was already taken into account at the hiring and asked if there is a performance evaluation demonstrating the justification for this out of cycle step increase.

Commissioner Morris stated that she respects Atty. Hornick's request and agrees with it but also would like the evaluation filed with HR. Commissioner Piper commended HR Director Clough's clarity with the Commissioners about her desire to have a proper system in place for the good of the entire campus. For her it is not just a matter of a paper trail, it is a matter of whether or not this exception for superior performance is meeting the requirement of the HR definition of a step increase; the question is, does the merit increase reward performance that goes beyond the experience that has already been taken into account. HR Director Clough stated that if a merit increase is based on performance, you should see it outlined in a performance evaluation. HR Director Clough noted that this employee went to Step 6 in September and will get another step increase in July of 2021. She explained that this is because they are a salaried employee and once they finish their first year their performance evaluations are done in July of each year. Atty. Hornick stated that this is an exceptional employee and wants to show them that this kind of thing can happen if you work hard. HR Director Clough stated that she does not necessarily disagree with Atty. Hornick, as these are her employees. She is saying merit increases are based on performance and they should see this on an evaluation. Commissioner Lauer asked if they should require a performance review to be submitted, and then review the issue again once it is received. Commissioner Morris stated that Atty. Hornick has the right to manage her staff as she sees fit, it is their responsibility to monitor the budget and HR needs the performance evaluation

MOTION: Commissioner Morris moved to approve the out of cycle step increase contingent upon a successful performance review going to Human Resources. Commissioner Lauer seconded the motion for discussion purposes.

Discussion: Commissioner Piper stated that she understands what Commissioner Morris said. However, her decision is to support uniformity and process campus wide.

Commissioner Lauer called the roll. Commissioner Piper "no", Commissioner Morris "yes", Commissioner Lauer "no". With the majority of the board voting in opposition, the motion fails.

Commissioner Lauer stated that she feels they would be creating many issues due to the fact that this employee just received a step increase in September. CA Libby noted that this is what an out of cycle step increase is; it is a Department Head coming to the Commissioners out of cycle when an employee has recently received a step increase.

HR Director Clough stated that right now there are employees who are receiving merit increases prior to a performance evaluation being completed and this may be something they need to change. Commissioner Piper asked if that is something that they can change going forward. Commissioner Lauer stated that she would like to know how many backed up employee evaluations they have throughout all departments. Commissioner Piper agreed and stated that this issue needs to be addressed.

HR Director Clough requested nonpublic session

MOTION: * 10:54 AM Commissioner Piper moved to enter into non-public session for the purposes of the hiring of any person as a public employee pursuant to RSA 91-A: 3, II (b) Commissioner Morris seconded the motion. This motion requires a roll call vote. Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

* 11:18 AM Commissioner Lauer declared the meeting back in public session.

MOTION: Commissioner Piper 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 Morris seconded the motion. Commissioner Lauer called the roll. Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer “yes”. Commissioner Lauer stated that a majority of the board voted “yes” and the motion passes.

MOTION: * 11:19 AM Commissioner Piper moved to enter into non-public session for the purposes of the dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted pursuant to RSA 91-A: 3, II (a) Commissioner Morris seconded the motion. This motion requires a roll call vote. Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

* 11:30 AM Commissioner Lauer declared the meeting back in public session.

MOTION: Commissioner Piper 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 Morris seconded the motion. Commissioner Lauer called the roll. Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer “yes”. Commissioner Lauer stated that a majority of the board voted “yes” and the motion passes.

Commissioner Lauer asked if everyone had a chance to read the minutes from the November 17th meeting. Commissioner Piper had a clarification edit.

MOTION: Commissioner Piper moved to approve the minutes as amended. Commissioner Morris seconded the motion. Commissioner Lauer called the roll. Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer “yes”. Commissioner Lauer stated that a majority of the board voted “yes” and the motion passes.

The Commissioners signed check register 1100.

CA Libby stated that she received an email from Kate Horgan in regards to the Long Term Care Stipend and being reimbursed for the taxes associated with the stipend. She stated that Senator-Elect Hennessey talked to the GOFFER Committee and they are open to it and will reach out to the Counties today. She stated that it seems as though there is some tendency to fund the taxes associated with the stipend as well.

Intergovernmental Transfer Agreement – CA Libby stated that this is the agreement between the County and DHHS. The County Administrators have been working on this for several months with Henry Lipman from DHHS. Her understanding is that although no one is crazy about having to do the agreement, everyone is much more comfortable with the agreement as it stands now. CA Libby stated that she thinks at this point this agreement is the best they are going to get if they need to do it.

MOTION: Commissioner Piper moved to approve the proposed the Intergovernmental Transfer Agreement and authorize CA Libby to sign it on behalf of the County. Commissioner Morris seconded the motion. Commissioner Lauer called the roll. Commissioner Piper “yes” Commissioner Morris “yes” Commissioner Lauer “yes”. Commissioner Lauer stated that a majority of the board voted “yes” and the motion passes.

Social Services RFP – CA Libby stated that she will get this out today and make the due date December 30th to give the agencies the extra week to complete it.

Follow Up – Broadband Legal Svs – CA Libby stated that she spoke to Nik Coates regarding the Commissioners questions for the legal services. She stated that the Broadband Committee has several items they feel they need to engage with legal counsel on. Their next meeting is to set a game plan for what the next year to 18 months will look like. She discussed the various legal items with the Commissioners and stated that they are happy to have this committee and do the work but wants to know the county is on board and supporting them. Commissioner Lauer stated that they have asked these people to donate their time and expertise. In view of the time and effort they are donating, they need to support them to a certain extent. Commissioner Piper stated that she had asked the question if efforts from community outreach will grow County Government and she thinks this was not thought out more fully. Commissioner Morris stated that it was her impression that they came to us and thought the understanding was that the County would not fund this committee. She thought their plan was to brainstorm and come up with a plan that would then need to go through the political process but not to actually start the financial process at this point. The Commissioners discussed the issue further. CA Libby stated that she would invite N. Coates to come meet with them. It is clear that the Commissioners are on a much different path than the Committee and they need to meet and discuss it.

CA Libby stated that they have received the check from Healthtrust for their return of surplus funds and hopes that will be returned to the employees within the next week or two (2)

CA Libby stated that last year Director Andross had applied for two (2) Homeland Security grants that were awarded to them. She stated that Director Andross has received the grant award paperwork for the Grafton County Communication Infrastructure Project in the amount of

\$454,243 and the Grafton County Twin State Mutual Aid Simulcast Project in the amount of \$396,001.65. CA Libby stated that the grant paperwork needs to be signed and initialed by Commissioner Lauer.

Commissioner Issues:

Commissioner Piper stated that she wanted to commend AS Director DePalo for her discussion at the Lebanon City Council meeting on defunding the police. She did an excellent job talking about the work that Grafton County is already doing with the Lebanon Police Department and other partner agencies reducing incarceration, recidivism, and enacting criminal justice reform.

11:55 AM with no further business the meeting adjourned.

Respectfully Submitted,



Marcia Morris
Clerk