

GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Highway

North Haverhill, NH 03774

December 12, 2017

PRESENT: Commissioners Lauer, Ahern and Piper, County Administrator Libby, Admin. Asst. Norcross.

OTHERS PRESENT: Treasurer Karen Liot Hill, Atty. Saffo, Register of Deeds Monahan, Maintenance Supt. Oakes

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

Commissioner Lauer asked for a moment of silence for Carol Elliott who served the county as Register of Deeds and Treasurer for a total of 25 years.

Treasurer Hill arrived to discuss the investment of tax money. She handed out the following letter with her recommendations:

December 11, 2017

TO: Grafton County Commissioners

FROM: Karen Liot Hill, Treasurer

SUBJECT: Investment Proposal for 2018

Commissioners:

Investment letters were sent to all banks that have a branch located within Grafton County (see attached list of banks that were invited to bid.) These letters were sent out on November 30, 2017 with bids due back by the close of business on Friday, December 8, 2017.

We received proposals from seven (7) banks. I have attached a spreadsheet that details the banks that responded. This spreadsheet shows the various different investment options that were provided by the different financial institutions.

Based on an analysis of cash flow needs it appears that it is necessary to keep approximately \$10M liquid for the next six months to meet our needs. After the expenses for the month of December are accounted for there will be approximately \$14M left to invest.

Based on these needs and the investment proposals that were received I am recommending the following investment plan for 2018:

Woodsville Guaranty Savings Bank – Insured Cash Sweep – 1.31% - All funds remaining in the County's possession after the investments below are made. This would be approximately \$13.3M (We will need approximately \$3.3M for the balance of December expenses)

Mascoma Savings Bank – 26 Week CDARS – 1.25% - \$2,000,000

TD Bank – Money Market – 1.10% - \$1,500,000

Meredith Village Savings Bank - CD - 75% - \$500,000

Thank you for your consideration of this recommendation. I welcome your questions and thoughts.

Commissioner Ahern moved to accept the Treasurers recommendation as presented.  
Commissioner Lauer seconded the motion and all were in favor.

CA Libby stated that they have collected almost \$7.5 million in taxes and have roughly \$17.6 million left to come in.

Farm Manager Kimball arrived and gave the following report:

1. Currently milking 73 cows. We are shipping 5,800lbs daily, averaging 79 lbs. per cow.
2. Price of milk is starting to drop, not at \$18.98 per hundred weight.
3. Ben and I went to the annual Agri-Mark meeting and received a quality award. Talked about how the milk price will continue to drop, maybe as low as \$15.00 during 2018. There is too much fluid milk in the market.
4. Ben is using his earned time, so I have been milking the mornings and Brian is milking the afternoon.

FM Kimball stated that they are having a meeting on December 21<sup>st</sup> to discuss the vegetable garden for next year and inmate labor.

Commissioner Ahern stated that during his walk of county property with the forester they came across a Christmas tree that has fallen down. He stated that it is a nice tree that he wouldn't want to go to waste if there is an employee who doesn't have the means to buy a Christmas tree.

Register of Deeds Kelley Monahan arrived and gave the following report:

**Grafton County Registry of Deeds  
Kelley J. Monahan Register  
Report to Commissioners  
December 12, 2017**

**November Revenue**

County Revenue 11/2009	\$81,039.29	State Revenue 11/2009	\$506,117.76
County Revenue 11/2010	\$96,526.70	State Revenue 11/2010	\$682,679.64
County Revenue 11/2011	\$71,044.79	State Revenue 11/2011	\$392,029.44
County Revenue 11/2012	\$80,044.79	State Revenue 11/2012	\$523,386.24
County Revenue 11/2013	\$65,255.13	State Revenue 11/2013	\$475,505.28
County Revenue 11/2014	\$63,966.55	State Revenue 11/2014	\$546,435.84
County Revenue 11/2015	\$84,227.65	State Revenue 11/2015	\$861,408.00
County Revenue 11/2016	\$78,782.79	State Revenue 11/2016	\$673,072.12
County Revenue 11/2017	\$85,268.33	State Revenue 11/2017	\$765,138.24

**Foreclosures**

2009 160 year to date  
2010 193 year to date  
2011 190 year to date  
2012 175 year to date  
2013 146 year to date  
2014 138 year to date  
2015 113 year to date  
2016 96 year to date  
2017 70 year to date

1. The staff and I were saddened to hear of the passing of former Register of Deeds and former Grafton County Treasurer Carol Elliott on Sunday December 3, 2017. She was a true public servant.
2. LCHIP grants were awarded on Monday, December 4, 2017. I have enclosed the complete list with the Grafton County grants highlighted. LCHIP- Land Community Heritage Investment Program is a fund created by the NH Legislature that places a \$25.00 fee on all deeds, mortgages, mortgage discharges and plans. The total awarded Grafton County projects this round was \$309,000.00.
3. I have purchased the museum cabinets to display some of our historic books. They will be located in the Research Room and in my office.

Respectfully Submitted,

Kelley J. Monahan

Commissioner Lauer asked if everyone had a chance to read the minutes from the December 5<sup>th</sup> meeting. Commissioner Piper had several edits.

Commissioner Ahern moved to approve the December 5<sup>th</sup> minutes as amended.

Commissioner Piper seconded the motion and all were in favor.

The Commissioners signed check registers 30-33; 1079; 1082-1091.

County Administrator Libby submitted the following 2018 Holiday List for the Commissioners review and approval

Grafton County				
2018 Holiday Schedule				
New Years Day		Monday	January 1, 2018	
Martin Luther King Jr./Civil Right's Day		Monday	January 15, 2018	
President's Day		Monday	February 19, 2018	
Memorial Day		Monday	May 28, 2018	
Independence Day		Wednesday	July 4, 2018	
Labor Day		Monday	September 3, 2018	
Columbus Day		Monday	October 8, 2018	
Election Day		Tuesday	November 6, 2018	*
Veterans' Day		Sunday	November 11, 2018	
		Monday	November 12, 2018	**
Thanksgiving		Thursday	November 22, 2018	
Day after Thanksgiving		Friday	November 23, 2018	
Christmas Day		Tuesday	December 25, 2018	
*Election Day is a Floating Holiday for all County Employees				
**Administrative Offices Observation of Veterans' Day				
24/7 Departments will observe actual holiday on 11/11/18				

Commissioner Piper moved to approve the 2018 Holiday Schedule. Commissioner Ahern seconded the motion for discussion purposes. The Commissioners voted on the motion and all were in favor.

CA Libby submitted a letter from UNH Cooperative Extension requesting to close the office on Tuesday December 26<sup>th</sup>. The two (2) county employees will use their earned time.

Commissioner Ahern moved to close the UNH Cooperative Extension office on December 26<sup>th</sup>. Commissioner Piper seconded the motion and all were in favor.

CA Libby submitted the Close-out Certification and Documentation for Commissioner Lauer to sign.

Supt. Oakes arrived to open bids for the Forced Main Replacement Project. Five (5) bids were received as follows:

- Kingsbury Companies LLC, Waitsfield, VT - \$228,200
- Blue Mountain Trucking & Excavating, South Ryegate, VT - \$ 172,946.00
- L&M Service Contractors, Orford, NH - \$ 204,850.00
- Willey Earthmoving-Corp. , Windsor, VT - \$ 259,410.00
- Zaluzny Excavating Corp. , Vernon, VT - \$234,550.00

Supt. Oakes requested to review the bids and return next week with a recommendation.

CA Libby submitted a letter to the Commissioners from the New Hampshire Division of Historical Resources stating that that Boulderwood in Holderness will soon be considered by the New Hampshire Division of Historical Resources council for nomination into the National Register of Historical Places.

CA Libby noted the Delegation meeting will be held tomorrow at 9:00am in the UNH Extension Conference Room.

Commissioner Lauer reminded the Board that next week's Commissioners meeting starts at 11:00am.

CA Libby stated that they previously received a letter from the Commissioners of the Conway Village District Fire District requesting \$5,000 for the services they provide on Route 112 in Livermore. She stated that they have had two (2) meetings. The first meeting was in Lincoln with Waterville Valley, Lincoln/Woodstock Ambulance and the US Forest Service. They discussed the letter, coverage, logistics and they decided that they would have another meeting with Conway Village Fire District Commissioners and Fire Chief. They met in August and at the meeting they decided that the Chief from Conway Village would come up with an estimated dollar amount that the calls cost them. Everyone was in agreement that they were not going to pay them a flat \$5,000 a year. Based on the data that they have, there are not a lot of calls to that area. During that meeting Waterville Valley stated that they felt that \$350 per call was a reasonable expense. The Chief did some further research he stated that Waterville Valley's number of \$350 a call will not cover the costs. He is proposing that they set it at \$250 an hour with a two (2) hour minimum and that way a simple call like a motor vehicle accident would cost \$500 but a lengthier more expensive call would cost more. CA Libby stated that Waterville Valley had said the \$250 an hour will work for them and that they will be working for finalize their agreement with Conway. CA Libby stated that over the course of three (3) years she believes we had seven (7) calls that were in Livermore so it is not a significant dollar amount. She explained that Grafton County receives federal forest money for Livermore which they would be able to allocate a portion of that to pay for the expenses associated with the calls. She stated that she would put together a formal memorandum of understanding and go from there.

County Attorney Saffo arrived and gave the following report:

**Office of the Grafton County Attorney**

**Lara Saffo, County Attorney**

**December 12st, 2017**

**Report to the Commissioners**

**The Mission of the Office of the Grafton County Attorney is to pursue justice and promote the safety and security of the County's citizens, thereby enhancing the quality of life in Grafton County. We will seek to achieve these goals by:**

- **Striving for just disposition of criminal cases through timely, efficient and effective prosecution.**

- Ensuring that victims and witnesses of crimes are treated with respect, courtesy, and sensitivity as they cooperate with criminal prosecutions.
- Improving the criminal justice system by identifying areas of need and working collaboratively with other criminal justice agencies and the community to improve the criminal justice system.
- Encouraging and promoting crime prevention and early intervention initiatives.
- Identifying, promoting and implementing new and innovative approaches to solving crime problems.

*Justice must always question itself, just as society can exist only by means of the work it does on itself and on its institutions.*

**Michel Foucault (1926-84), French philosopher. "Vous Êtes Dangereux," in Libération (Paris, 30 June 1983; repr. in Didier Eribon, Michel Foucault, 1989; tr. 1991).**

**(1) STATISTICS**

**Caseload at the Office of the Grafton County Attorney.**

*The dramatic increase in referrals to the Office of the Grafton County Attorney from law enforcement agencies continues.*

Calendar year 2016 figures:

As reported previously, the Office of the Grafton County Attorney (OGCA) experienced an increase of over 120 referrals from calendar year 2015 to calendar year 2016. This was not only sustained, we have additional increases this year. In calendar year 2015 we had 750 referrals, in calendar year 2016 we had 894 referrals.

2017 figures show that last year's increase is not only sustained, but continues to increase dramatically

From January 1, 2015 to November 20, 2015, the OGCA received 704 referrals.

From January 1, 2016 to November 20th, 2016, the OGCA received 836 referrals.

From January 1, 2017 to November 20<sup>th</sup>, 2017, the OGCA received 883 referrals.

**Update on Felony First:**

We have had a total of 221 felony first cases since April 1, 2017, in 104 of the charges, the individual was released on bail. In 117 of the cases, the individuals were incarcerated on bail conditions.

To date we have been able to work through the prosecutor's obligation to get complaints filed.

We are relieved that we have hired the new prosecutor to work on many of the new arrests. I greatly appreciate the other prosecutors covering when felony first began earlier than anticipated in Grafton County (and before the new prosecutor was hired).

One anticipated issue was the dramatic increase on the workload of our support staff, who now have to send out discovery (the investigation) on multiple occasions, as the case develops. The additional caseload plus the expedited time framework, combined with the need to send out discovery in pieces has been difficult in the hours in the proverbial day. We thank our support staff as they work through this process. We are hoping to see an increase in the number of cases resolved earlier, which hopefully will even out this current increase in workload.

## **(2) CRIMINAL JUSTICE REFORM**

I would like to bring multiple criminal justice reform efforts to your attention.

### **(A) Felony First**

This is discussed above, so I will not go into more detail here, but it has involved substantial effort as the OGCA assumes responsibility of cases much earlier in the process.

### **(B) Early Case Resolution**

This is interrelated with Felony First. Now that we obtain cases much earlier in the process, we are taking advantage of no cost (to Grafton) expertise on Early Case Resolution. This expertise is being provided by the Administrative Office of the Courts (David Bennett, a national expert on reform). We have restructured positions in our office to accommodate this new approach. In addition, we continue to meet with the court to develop the framework for Early Case Resolution. The new prosecutor works closely with our most experienced prosecutor, who is handling the actual ECR plea negotiations. We hope to expand this program, but, due to workload, can't simply start it in one fell swoop.

### **(C) Bail Reform - 3 Days Count**

Below please find the link to the following publications from the Pretrial Justice Institute, which have been distributed by the courts:

“Where Pretrial Improvements are Happening” June 2017

<https://university.pretrial.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=80fd2d2a-2a37-b7d1-9185-33eeead0d2ba&forceDialog=0>

“Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option” October 2013

<http://www.pretrial.org/download/research/Unsecured%20Bonds,%20The%20As%20Effective%20and%20Most%20Efficient%20Pretrial%20Release%20Option%20-%20Jones%202013.pdf>

I agree that bail reform is a good idea, but I also believe that we are trying to emulate states that have pretrial services in place to ensure public safety. We are beyond fortunate that Grafton County has started a pretrial services program. However, we must remember that state initiatives (bail reform) must consider the impact on county programs, and what the county can fund.

**(D) Sex Crimes Unit / Computer Forensics/Digital Evidence**

We continue to work hard to on developing a sex crimes unit, and preparing for the new position. We have received a number of resumes and look forward to the upcoming interviews. We have extended an offer to an experienced prosecutor, who is available Jan 1<sup>st</sup>.

**(E) ALTERNATIVE SENTENCING**

**Drug Court**

The OGCA continue to be active participants in Drug Court. In order to receive funds, the drug treatment courts in New Hampshire will need to be in compliance with the NADCP Best Practice Guidelines, so it is important that all interested individuals understand the requirements. They are available on line at <http://www.nadcp.org/Standards> . Webinars are also available on the best practices at the same website. I am providing you with information regarding best practices for medicated assisted treatment, as just an example of additional information readily available.

We have bi-weekly team meetings, and open court session every other Monday. We also meet with the team to write our policies and procedures. In addition, drug court requests that our prosecutor attend trainings.

We enjoy participating in this initiative, and would simply note it is time consuming for the prosecutor.

Other drug initiatives: Haverhill Area Substance Abuse Coalition (Cottage Hospital)

**Justice Involved Veterans Task Force**

This group meets monthly. Last year I testified in support of enabling legislation. This task force is conducting viewings of “Justice for All” a video about the vital work being conducted in Veterans Courts in NH. It is followed by a panel. We are in the process of scheduling showings in Grafton County in the spring.

**Mental Health Court - misdemeanor level**

We have been able to attend these meetings in Littleton and Lebanon regularly. We look forward to attending more regularly in the Plymouth area.

**Mental Health Court – felony level**

Prosecutor Kovalenko has been working hard to expand this to the felony level. Court time appears to be a barrier. Once there is court time, we are ready to start a felony level mental health court. This is a vital initiative, so we hope there will be court time soon.

**Adult Diversion**

We work with the adult diversion as well, and thank the amazing efforts exhibited by this program.

**FIRMM**



We have individuals now sentenced into this program and look forward to working with this vital sentencing alternative as well.

**Restorative Justice/Juvenile Diversion**

We remain supportive of Restorative Justice for juvenile offenders and encourage everyone to learn as much as possible about these initiatives.

**(F) New Grants**

**a. Roving Advocate grant**

**b. Supplemental VOCA grant**

**(G) Request to go into nonpublic session to discuss an employee matter.**

**(H) COMMUNITY PARTNERSHIP**

*The Office of the Grafton County Attorney supports the building of strong partnerships and collaborations with law enforcement, all members of the criminal justice system, and the communities we serve. These partnerships are vital to improve public safety.*

**Attorney General Office:**

The Attorney General's Office Partners Against Violence conference is this month. We are presenting and attending.

Attorney General – County Attorney meetings

AG Child Abuse and Neglect Conference Committee

AG Protocol drafting: Adult Sexual Assaults, Human Trafficking

**Grafton and Sullivan County CAC at DHMC**

*Like the County Attorney's office, the CAC continues to experience high numbers. It is vital that prosecution is involved in these cases from the inception. Similar to our drug unit, we hope to develop a child abuse unit at our office, although there are far too many of these cases for one prosecutor, so we have three that specialize in these cases (and carry additional caseload). We are hoping to be able to have one of the three be the primary contact for the CAC.*

*The OGCA participates in three types of meetings for the Grafton and Sullivan County CAC at DHMC, case review meetings: Twice a month we have meetings to review all pending cases, and provide a status on past interviews. We have one meeting in Lebanon once a month. We have a meeting in Littleton and Plymouth (alternative locations) once a month. We also participate in Director and Advisory Board meetings. We have meetings six times a year to discuss the program, and often have supplemental meetings to discuss a specific issue, such as sustainability.*

From January 1, 2017 to November 30<sup>th</sup> Grafton has 210 referrals, Sullivan 108 for a total of 318. Last year this time Grafton had 155.

**STATEWIDE SOFTWARE/PBK**

We participate in monthly statewide software meetings to enhance the use and efficiency of our statewide prosecutor's software.

This includes working on the Uniform Charging Table for the State of New Hampshire, and specifically developing elements of offenses for everyone to use in New Hampshire

**NH HUMAN TRAFFICKING COALITION**

We are a member agency with the New Hampshire Human Trafficking Coalition.

**(E) GRAFTON**

a. VAWA Grant

We received this grant, for \$30,000 towards the cost of a prosecutor to handle in part domestic violence and sexual assault cases. The year for the grant is June 30<sup>th</sup>, 2016 – June 30, 2017. The reports have been submitted.

b. VOCA Grant

We received the grant is for \$50,000 towards our Victim Witness Program. It pays for some of the costs of a Victim Witness Coordinator and for a new program, in our case Circuit Court Prosecution services. We have the official paperwork and are accepting referrals. It has already proven beneficial. The reports have been submitted.

c. Haverhill Area Substance Abuse and Prevention Coalition

This prevention initiative is for the SAU 23 catchment area.

d. Partnership with UNH – Prevention Innovations Research Center Collaboration

We received this grant and are participating in prevention initiatives for commuter college sexual assaults.

e. Sexual Assault Justice Initiative

As noted above, this is a DOJ grant that we will benefit from. The hiring committee hired the full time adult sexual assault investigator, and the grant has begun. The grant manager/prosecution consultant position is going to be advertised.

**(E) Areas of needed expertise**

- a. Arson
- b. Drugs
- c. Domestic violence
- d. Child sexual assault
- e. Adult sexual assault
- f. Abuse of Elders
- g. Assaults – simple to first degree
- h. Cybercrime
- i. Failure to register as a sex offender
- j. Gang activity
- k. Internet Crimes Against Children
- l. Negligent homicides – assault related
- m. Negligent homicides – DWI related / Driving Under the Influence, Serious bodily injury/drug impairment
- n. Negligent homicide – distracted driving.

- o. White collar crime – bank fraud, business fraud
- p. White collar crime – financial exploitation of family members/the elderly
- q. Computer fraud
- r. Property related offenses (bank checks/fraudulent use of a credit card/willful concealment)
- s. Property related offenses – burglaries and robberies
- t. And more . . .

(F) Adjourn to discuss legal matters.



### **Changedirection.org**

**If you have not been on this website, it is a vital resource. Grafton County can be proud that it has offered mental health court for years. Many defendants have a mental health diagnosis or should be evaluated for health care needs. The OGCA believes it is vital that mental health court is expanded to the felony level.**

Atty. Saffo requested to go into nonpublic session.

\* 10:38 AM – Commissioner Ahern 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 Piper seconded the motion. This motion requires a roll call vote, Commissioner Lauer called the roll. Commissioner Lauer “yes”; Commissioner Ahern “yes”; Commissioner Piper “yes” Commissioner Lauer stated that a majority of the board voted “yes” and would now go into non-public session.

\*10:54 AM Commissioner Lauer declared the meeting back in public session.

Commissioner Ahern 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 Piper seconded the motion and all were in favor.

10:54 AM Commissioner Ahern moved to temporarily adjourn this meeting for the purpose of consulting legal counsel. Commissioner Piper seconded the motion and all were in favor. Commissioner Lauer stated that they will now adjourn this public meeting for the purpose of

consulting with legal counsel. The public must leave the meeting room and the door will be closed.

11:09 AM Commissioner Lauer reconvened the meeting.

Commissioner Issues:

Commissioner Piper stated that she and Bev McKinley attended the Enfield Select board Meeting and presented them with a copy of the Annual Report that was dedicated to Bev McKinley. She stated that yesterday she met with the DuPont Group who works with the NHAC to take over her responsibilities as chair of the legislative committee.

*Community Housing and Development Plan*

CA Libby stated that she made the changes to the plan as discussed at their last meeting and emailed it to the Commissioners. She sent the draft plan to Shelley Hadfield as well and S. Hadfield stated that she likes it and does not see any issues.

Commissioner Ahern requested that the importance of agriculture and forestry be added to the plan. The Commissioners all agreed. CA Libby made the new changes and emailed the updated copy to the Commissioners. Commissioner Ahern requested that a copy be sent to Geoff Sewake in UNH Cooperative Extension.

11:25 AM with no further business the meeting adjourned.

Respectfully Submitted,

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Wendy A. Piper,  
Clerk