

## EXECUTIVE COMMITTEE MEETING

Administration Building  
3855 Dartmouth College Highway  
North Haverhill, NH  
March 18<sup>th</sup> 2019

PRESENT: Representatives, Sykes, Maes, Abel, French, Diggs, Campion and Ladd. County Administrator Libby, Admin. Assistant Norcross, Commissioners Lauer and Piper.

OTHERS PRESENT: Treasurer Liot Hill, Register of Deeds Monahan

Rep. Sykes called the meeting to order at 9:00AM and began with the Pledge of Allegiance led by Rep Campion.

Rep. Sykes stated that the minutes from the January 28<sup>th</sup> meeting need to be approved.

**MOTION:** Rep. Abel moved to approve the minutes from the January 28<sup>th</sup> Executive Committee meeting. Rep. Campion seconded the motion

Treasurer Hill gave the following Treasurer's report:

**TO:** GRAFTON COUNTY EXECUTIVE COMMITTEE  
**FROM:** KAREN LIOT HILL, TREASURER  
**SUBJECT:** TREASURER'S REPORT  
**DATE:** MARCH 18, 2019



### CURRENT CASH POSITION (as of 02/28/19)

#### Grafton County General Fund

Checking Account (ICS @ 2.75%)	\$ 8,295,587.94 (Woodsville Guaranty Savings Bank)
Money Market (2.15%)	\$ 512,009.26 (TD Bank)
CDARS (2.65%)	\$ 2,011,497.45 (Mascoma Savings Bank)
Certificate of Deposit (CD - 2.30%)	\$ 500,000.00 (Northway Bank)

#### Grafton County Committed Accounts

Deeds Surcharge CD (.60%)	\$196,998.98 (Woodsville Guaranty Savings Bank)
Dispatch Capital Reserve (1.26%)	\$157,440.80 (Service Credit Union)
Nursing Home Capital Reserve (.30%)	\$ 59,399.97 (Woodsville Guaranty Savings Bank)

### RECENT TRANSACTIONS of NOTE

- The Combined Accumulated interest in the current fiscal year (7/1/17-02/28/19)  
\$88,271.40

- I have contacted Woodsville Guaranty Savings Bank to discuss the interest rate on the Nursing Home Capital Reserve account.
- At January's meeting it was noted that the Treasurer is not involved with investing the Capital Reserve/Surcharge accounts that the individual departments do that. I want to correct that statement to say that the process is that the Treasurer and/or the County Administrator consults with the department on the needs for the upcoming year and then the Treasurer looks at the possible investment options for those accounts and decides on the best option.

**MOTION:** Rep. French moved to accept the Treasurer's report. Rep. Diggs seconded the motion and all were in favor.

Commissioner Lauer gave the following Commissioners' Report:

Commissioners' Report  
March 18, 2019

- Update of ProShare monies back to the State: Since the Delegation meeting on 6/25/18: The County Administrator was contacted on February 19, 2019 requesting that Grafton County send an appropriation of \$172,340.40, which is 30% of the additional ProShare funds that were received less the incremental NFQA (Nursing Facility Quality Assessment) of 5.5% that was paid on the funds when they were received last June. The net amount of funds that were sent to the State of NH was \$162,861.68, the payment was sent on February 27<sup>th</sup>. As you are aware Grafton County reserved up to 60% or a total of \$344,680.80 as a potential payment. Paying back 30% instead of 60% has left a balance of reserved funds of \$181,819.12. The Commissioners will be making a formal request to you and the full Delegation to transfer the excess reserve funds into the Nursing Home Capital Reserve.
- SB 443 Municipal Electric Legislation became effective on August 7, 2018. This will allow the County to look at buying electricity from other providers than just Woodsville Water & Light. The Commissioners sent a Right-to-know request to WW&L seeking this information. On Wednesday 1/23/19 Susan Olsen went to WW&L and obtained much of the information that had been requested. S. Olsen is still reviewing the information that was received and compiling her recommendations.
- As mentioned at our last meeting we will be starting a Strategic Planning Initiative in the coming weeks. The first step that we will be doing will be a Mission/Vision/Goal Setting process with Primex that is provided to us free of charge. We do anticipate requesting funding in the FY 2020 budget to hire an outside consultant to assist the County with the full Strategic Planning process.

- We have hired a Consultant to conduct the review of Social Service Agencies and to make recommendations to the Commissioners. Elaine Guenet from Randolph, VT was selected from the proposals that were received. The funding for this was not included in the FY 2019 Commissioners budget and as such we are requesting permission as per your By-laws to transfer funds from the Human Service Budget where we will have a surplus due to our cap for Nursing Home/HCBC charges being less than was budgeted. We are requesting a transfer of \$15,000.
- Nancy Bishop, Human Services Director retired from Grafton County on March 04, 2019 after 32 years of service.

**MOTION:** Rep. Campion moved to accept the Commissioners' Report. Rep. Maes seconded the motion and all were in favor.

**MOTION:** Rep. Abel moved to transfer \$15,000 from the Human Services Budget to the Commissioners' budget per the County Delegation by laws.

Discussion: Rep. Ladd asked what account from the Human Services Budget this is coming from. CA Libby stated that it is coming from the Intermediate Nursing Care line. The cap was lower than what was budgeted by almost \$100,000 so they are taking \$15,000 of that and put it into the Commissioners' consultant line.

Rep. Diggs seconded the motion and all were in favor.

CA Libby gave the following County Administrator's Report:

County Administrator's Report  
March 18, 2019

- ❖ Jail Census: 70 in-house; 10 on Electronic Monitoring; 2 FIRRM ~ ( 5 Coos Females); 5 Pre-trial Services
- ❖ Nursing Home Census: 121

Financial Reports – FY 2019

- ❖ Monthly Variance Report compares budget on an equal monthly basis to actuals and looks at the positive (black) or negative (Red) variances. These reports represent six (6) months complete.
  - Revenue:
    - The Nursing Home revenue has a positive variance due to a higher than Medicare A census. We have several different payer sources: Private Pay, Medicaid and Medicare Part A. Although our overall census has been below our budgeted level this fiscal year, we budgeted for an average daily census of 129 and through February are at 124. We budgeted 4 Medicare A residents and through February our ADP has been 7.5 – this is the largest reimbursement category. In addition we received a final

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settlement from NHMMJUA (NH Medical Malpractice Joint Underwriters Association) in the amount of \$208,845 this was unanticipated revenue. These are the reasons for the positive variance.

- Proshare/Bed Tax – ProShare is a lump sum payment received all at once in June. Bed Tax is paid quarterly. The first and second quarter bed tax payments have been received. Bed tax revenue is tracking on target.
- The farm is slightly behind at this point. This is attributable to milk price fluctuations and most of the categories in the farm revenue projections not being on target. I project that we will finish behind revenue projections.
- County Attorney/Victim Witness – Quarterly grant reimbursement. The first & second quarter have been received. This grant reimburses for actual expenditures – although it shows that we are slightly under revenue that means that we are also under spent.
- Alternative Sentencing – We have received very little of the BDAS (Bureau of Drug and Alcohol Services) funding yet as we are still ironing out some issues with this program being new to that Department. We are still in the process of getting credentialed with all insurance companies but the good news is that this week we are going to begin billing as a non-participating provider while we finalize contracts with the insurance companies. Director DePalo is working hard to get the revenue streams in order. AS will finish well below estimated revenue projections for FY 2019 and the projections for 2020 are much smaller and more realistic projections.
- The Department of Corrections is showing a negative variance at this time which is due to the timing of the billing for the BDAS revenue. I believe the jail will be on target for revenue.
- Deeds, Extension, Rent and Taxes are all above projections at this point, taxes are collected once per year in December.
- Other – contains revenue sources that are one time per year received in June.

○ Expenses

- Through eight (8) months we have very few departments that are showing negative variances.
- The farm is showing a negative variance. I will continue to monitor this budget will be very close to fully spent or perhaps over-spent – but it is still too early to tell.
- Bonded Debt shows a large negative variance. We have a four (4) different bond payments that are made at various times during the fiscal year – this account will not be over-expended at year end although it will likely show a negative variance most months until the end of the year. We did payoff the Water Tank bond in January! So 2020 will only have three (3) remaining bonds.

- Pharmacy & Contracted Services in the Nursing Home are showing over-expended due to the higher than budgeted Medicare A census. However, the higher revenue offsets the increased expense.
- ❖ Pro-rated Report: This report looks at the % of the year complete and then pro-rates revenues and expense based on known variates on revenues and expenses.
  - 66.67% of the fiscal year completed. On the pro-rated report I factor in the revenue and expenses that are either over or under at this point in the fiscal year. Based on the February report we are at 67.52% or over revenue by \$367K and at 63.79% or under expended by \$1.3M. This all factors into the unassigned fund balance which at this point is \$3,212,822.69. Based on the pro-rated numbers we are tracking over budget projections on revenue and under budget projections with expenses.
- ❖ Over Expenditure Report – This report shows any line item that is over-expended at month-end.
  - We do have a number of over-spent accounts at this point. The two largest are the Consultant line in the Commissioners’ Office, which was explained during the Commissioners’ report and the Med A Therapy and Rehab and that is due to the higher than budgeted census and is offset by the increased revenue. A number of the other lines are due to staff changes during the year and some unanticipated expenses. Nothing alarming or out of the normal.

**MOTION:** Rep. Maes moved to accept the County Administrator’s Report. Rep. Campion seconded them motion and all were in favor.

Old Business:

Visioning Session – Rep. Sykes stated that Rep. Stringham had originally requested that this be put on the agenda and since he was unable to be at today’s meeting he feels they should discuss this topic at the next meeting.

Staggering Commissioner Elections – Commissioner Lauer stated that the learning curve is very intense in this job; it would be very difficult for three (3) new people to be elected and be effective. CA Libby’s stated that she can find out what the other counties do for staggering terms. Rep. Ladd agreed that Grafton County needs staggered terms. They can put this legislation in for the next year; the filing period is in November. CA Libby stated that she will have the information for them at their May meeting.

Memo from Register of Deeds Monahan - RD Monahan stated that this time of year she would like to be scheduled on the agenda of the Executive Committee meetings to discuss legislation and to update the committee on what is going on. She handed out the last two (2) monthly reports from the Register of Deeds Office. She noted that they are in the third stage of a six (6) stage conversion for the search. The go live date is April 9<sup>th</sup> after six (6) years of planning. Rep. Sykes stated that he would like RD Monahan to focus on the memo that she had given them and anything else can be addressed under the normal course of business on the agenda. RD Monahan stated that she had presented a letter at the November Executive Committee about the lack of

transparency and her concerns about this committee. She stated that she is uncomfortable as a citizen and as elected official that represents the entire county, not 1/3 of the county, not 1/27 of the county about the Executive Committee not having draft minutes posted within five (5) days. The public has to wait three (3) months to find out what happens in this body. She stated that this is not in accordance with the law. She noted that the Commissioner minutes also do not post a draft within five (5) business days. There have never been minutes taken or an agenda posted for the Department Head meetings which are a subcommittee of a public body. She expected in presenting that letter to be on the agenda in January but it was ignored. Rep. Sykes stated that it was not ignored, he already acknowledged to her personally by email that he forgot about the memo and all RD Monahan would have to do is ask him to bring it up and he did. He stated that he takes umbrage at her saying it was ignored. Ignored means intent and there was no intent. RD Monahan handed out the definitions of omission, nonfeasance and malfeasance to the committee. She stated that she was here for the Treasurers report. Treasurer Hill was ill-informed on the CD Rates. County Administrator Libby had a split second decision to make, to protect Treasurer Hill's reputation or protect RD Monahan's. RD Monahan stated that in her opinion CA Libby made the wrong decision. Rep. Sykes asked if this was in regards to the memo she presented. RD Monahan stated that they are talking right to know and putting sunlight on the minutes and the way this county does business. She told the committee to familiarize themselves with those terms she handed out to them. RD Monahan handed out another sheet that she had said CA Libby asked her to sign. This states how many eyes can see the surcharge account, her eyes never touch it and she has no authority of that surcharge account. CA Libby stated that the paper she is handing out is not the surcharge account. She explained that spreadsheet is RD Monahan's two (2) accounts and that is why she was asked to sign it. It has to do with the daily account and the payout account. RD Monahan stated that it is daily their eyes are on her accounts when she is a constitutional officer overseeing those accounts. She signed this sheet to allow all eyes on her accounts. She handed out the last two (2) monthly reports and told the committee to read them at their leisure. She stated that things are going very bad here. At last Tuesday's Commissioner meeting she said she wants Primex up here because of the lack of historical knowledge and lack of law knowledge. She is insisting that Primex come up and do remedial training with the Grafton County Administrator and the Commissioners on how to run a meeting and how to write minutes to be effective. She stated that in serving five (5) terms as a constitutional officer of this state and doing justice by this office, she feels that she has been harassed time and time again. She stated she has always turned the other cheek but that time is over. She stated that that they can end this meeting now, she has other things to say and next time it will be Senator Guida and the Sheriff here with her. Rep. Sykes told RD Monahan not to threaten this committee. RD Monahan stated that she is not threatening, she is pointing out two (2) paths. She stated that they can either escalate today or de-escalate. Rep. Sykes stated that is up to RD Monahan. RD Monahan stated that she has had nine (9) years of this. Rep. Sykes stated that they are getting into personnel issues that are not the purview of this Executive Committee and no such discussion will take place in that regard. Relative to the minutes being posted or not, it is his opinion, he will welcome the discussion on whether a policy of when and how those are posted but the question is who's responsibility is it. In his opinion it is the Commissioners' decision on how minutes are treated as long as they are following the law. He stated that he does not feel the Executive Committee belongs in this discussion but as a courtesy to RD Monahan he brought it up for today. He stated that he will focus on that but the rest of these items do not belong in this

meeting. RD Monahan stated that it does. She has been stonewalled and the minutes have been slanted. She assured the Committee that the next time they meet it will be not with an attorney from Grafton County or a member of the New Hampshire Bar, it will be the best in New England and it will be Senator Guida assisting her. There are problems in Grafton County and they can either chose right now to de-escalate the issue and apologize or she can put together a file of emails that is interesting reading. She stated that she has no interest in causing any harm to the taxpayers, to this county or to their reputation. She needs this deescalated now and she needs them to take her seriously. Rep. Sykes stated that she is scribing motivation to him unfairly. He stated that he is taking her seriously which is why he put this on the agenda at her request. RD Monahan stated that nonfeasance is not acting on her letter from November. She stated that this is all she has to say today. She noted that on Wednesday a senior citizen came in with a very upsetting letter. She sent it to the DOJ, Sheriff and the Municipalities and the Register of Deeds Association. The VA called her Friday and asked her permission to send it out nationally. She stated that is the work that she does and she wants this nonsense put behind this county. She stated that when she goes after Orford, as she spoke to them Tuesday night, she will be suing Anne Duncan Cooley of Grafton County Regional Development. She stated that it is in their minutes and she is going to keep talking.

RD Monahan then left the meeting.

Rep. Sykes stated that the item on the agenda was to discuss the minutes and he would like to hear from other committee members about how they feel whose responsibility that decision is. He stated that he feels that is up to the Commissioners. CA Libby explained to the Committee what the process of posting minutes is. She stated that the law says that they are to take minutes and a draft of those minutes is to be available for public inspection within five (5) business days. She stated that minutes are always done within those five (5) business days and anyone who wants a copy of those draft minutes is more than welcome to request a copy. They have not posted draft minutes in the past because it has been easier to wait until they are approved but she is not opposed to it. Rep. French asked how someone would be able to request a copy of the draft minutes. CA Libby stated that they can call the office or send an email from the county website contact form. Rep. Diggs asked if there is a section on the website that states draft minutes are available upon request. CA Libby stated that there is not but they can certainly do that. Rep. Campion asked how often they change the minutes between the draft and the final. Commissioner Lauer stated that it has been her experience that on Commissioner minutes normally the edits are grammar and punctuation. Once in a while one of the Commissioners will notice that they did not make a motion like the minutes state or sometimes there are substantive changes. It is hard to get all the information in the minutes during discussions and sometimes there needs to be some clarification. She stated that to have draft minutes out there that are essentially incomplete or incorrect is a concern. CA Libby noted that rarely any changes to the Executive Committee minutes. Rep. Abel stated that he understands the role of the County Delegation and the Executive Committee to be financial oversight and approval of larger expenditures. He does not see how decisions about minutes are a part of their responsibilities. He stated that he would suggest that this is a decision that needs to be made by the Commissioners of the county. CA Libby stated that the statement made by the Register of Deeds stating that the way we do minutes is not in accordance with the law is incorrect. Rep. Campion stated that if

they are going to make a decision about if or when to post draft minutes that it should be consistent between the Executive Committee and the Commissioners. They should approach county records in a similar way. She understands the hesitance to post a draft document as if it has been reviewed and approved but likes the idea of making the information regarding access to these draft minutes more available. CA Libby stated that they can absolutely do it. Rep. Ladd stated that in terms of their meeting minutes they have within their by laws that the date and time of location of subcommittee meetings be posted. He stated that they do that for this meeting as well. He stated that he has the same problem at the town level and people stating they cannot find the minutes but they are available. They just do not post them on the website until they have been approved by the select board at the next meeting. He stated that they checked with the Municipal Association when they wrote their policy at the town level because there were some people who wanted to have verbatim, every word, in the minutes. He stated that they are summarized and they have a recording for backup. It is a matter of establishing what their policy here will be and making sure they adhere to the statute which is appears that they are. Rep. Sykes stated that it sounds like they have reached a decision on a recommendation from the Executive Committee to post a notice on the website about draft minutes being available upon request but it is ultimately up to the Commissioners what they decide to do.

The Executive Committee set the following dates for their budget meetings:

June 3<sup>rd</sup>, 7<sup>th</sup>, 10<sup>th</sup>, 14<sup>th</sup> and 17<sup>th</sup> if needed

Delegation Vote on FY2020 Budget - June 24<sup>th</sup>

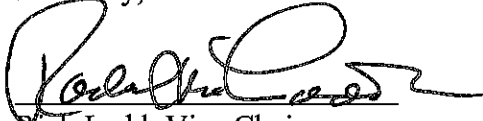
Proshare Discussion – Rep. Sykes stated that they do not know what Commissioner Meyer's position is at this point but asked the Executive Committee if they have a position they would like to take as far as the amount of the proshare payment they would be willing to send back to the state in the future. Rep. Ladd stated that he would like to find out from other counties if there are any other conditions that they have laid down as to where they are going in the future with returning a percentage for proshare payment. Rep. Sykes stated that from his understanding Rockingham County has agreed to 30% for this fiscal year only. CA Libby stated that they only thing they have been told from Commissioner Meyers a couple of weeks ago was he needs \$10 million next year from the ten (10) counties and the best way for that to happen is for all ten (10) counties to sit down and determine how that will be paid back to the State of New Hampshire. Rep. Abel stated that he request more guidance from Commissioner Meyers on what he proposes. The Committee further discussed the issue and there was a consensus to have the Commissioners keep the Executive Committee updated and have it on the agenda at each meeting to keep the committee informed as to what is going on.

The next Executive Committee Meeting will be May 20<sup>th</sup> 9am.



10:16 AM with no further business the meeting adjourned.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Ladd", written over a horizontal line.

Rick Ladd, Vice Chairman