

COUNTY COMMISSIONERS' MEETING  
3855 Dartmouth College Hwy.  
North Haverhill, NH 03774  
Tuesday, May 24, 2011

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

OTHERS: Harold Brown (intermittently)

9:10 AM Commissioner Cryans opened the meeting and led with the Pledge of Allegiance.

**Farm Manager Kimball** arrived with his report saying they were milking 67 cows, shipping 9800#'s of milk for an average of 72#'s. Price of milk is \$21.42  
Vegetables are being planted.

- The Ford Ranger truck caught on fire last week in the lower field and burned up. The fire was put out by using liquid manure from Hatchland Farm.
- Horne Excavating repaired the washed out road down to the field and FM Kimball said they did an excellent job.
- The last two pigs have littered, for a total of 80 piglets in all which will be sold for \$100 each.

Commissioner Cryans asked if there was a plan to replace the truck and FM Kimball said that he plans to and will contact the Government surplus place where he bought this one from.

Commissioner Ahern asked what it cost to produce a dozen eggs and FM Kimball said it was around 99 cents but grain has just gone up. He said the hens are producing about 34 to 38 dozen a week which the Jail is using.  
Commissioner Ahern said he may have been hasty about the decision to get rid of the hens since the Jail is using them.

Commissioner Ahern asked FM Kimball how the meeting with NHA Bolander went regarding the Nursing Home using the vegetable. FM Kimball replied that it went well and that he feels they can work together.

Commissioner Ahern said that he hoped that in FM Kimball's five year plan he works with the DoC to have produce and beef for the Jail  
FM Kimball said something needs to be worked out to where the Farm shows revenue from that arrangement otherwise it looks as though the Farm makes no profits.  
Commissioner Ahern said there should be full a accounting for that. He added that the Farm is very important to Grafton County and he wanted to see it prosper long into the future. He said that they may need to be more creative.  
Director Clough said there needs to be a philosophical discussion about this because

Grafton County is all one entity. Commissioner Ahern said he didn't see this as any different than how the Maintenance is allocated out to various departments. Director Clough said she sees this differently in that the Farm uses the inmates as a labor force. Commissioner Burton said he finds strong support for the Farm.

Commissioner Burton asked why there was a backhoe in front of the Farmstand and FM Kimball replied that Morrill Const. was doing some work to divert water from that area.

Both Commissioners Burton and Ahern said they had changed their minds and felt the chickens should be kept.

**Sheriff Dutile and Communications Director Andross** arrived to talk about the Dispatch billing. Their discussion centered around the thought that they would like to see the services of Dispatch paid for, not by fees, but by taxes so the service could be provided to everyone. They had prepared a survey that would be sent out to all the town Board of Selectmen and City Council that asks how they would feel about this arrangement and showed that survey to the Commissioners.

Commissioner Burton asked if that meant that towns that don't use the service would still have to pay for it and Sheriff Dutile replied yes.

Commissioner Cryans asked what would happen in the Vermont towns that the County services and Director Andross said they would remain under the billing system.

There was a discussion as to what would happen if the towns wanted to keep their own services. The discussion focused on the fact that the expense to operate a Dispatch center is considerable and what they were being offered was far more fiscally sound.

Sheriff Dutile said this wouldn't take place until about a year from now, depending on how the surveys results came back.

Commissioner Cryans said he sees this as a huge revenue issue as there will be no more revenue shown in Dispatch. The purpose of doing this Director Andross said was to get more, if not all, towns in Grafton County onto the Grafton County Dispatch which would be more cost efficient.

Commissioner Burton said he supported the survey being sent out.

Commissioner Ahern suggested a press release being sent out regarding the survey so that all the residents are aware of this also. He said though that he prefers the user based system.

Commissioner Cryans wanted it clarified that nothing will change in this coming fiscal year budget and Sheriff Dutile said that was correct.

Commissioner Ahern asked for some further information regarding Dispatch as he wanted to take that to the Selectboards when he visits the towns in District III. He commended Sheriff Dutile on his proactive work for the County.

Commissioner Cryans questioned if more staff would be needed if they picked up all the towns in Grafton County and the reply was affirmative.

Commissioner Cryans said that he couldn't vote in favor of this just yet until he speaks with his towns because they are towns that do not use the Grafton County Dispatch.

Commissioner Ahern moved to approve the mailing of a survey to the Town Managers regarding Dispatch billing and that a press release be sent out so that the public is aware of what's being considered which was seconded by Commissioner Burton.

Commissioners Burton and Ahern were in favor and Commissioner Cryans was opposed.

**Maintenance Supt. Oakes and Martha Richards** arrived with an updated report from the USDA per the request of the Commissioners, regarding the impending biomass project.

The information was reviewed and discussed, including costs and savings under different scenarios.

Director Clough said she would be filing an amendment to the current grant today which will allow the County to use the full grant amount (\$378K) without being committed to building the facility. She said they will need to obligate and sign the contract before the first of October.

Commissioner Burton moved to authorize Director Clough to file to amend the grant in the amount of \$378,500, which will allow Grafton County to receive the grant without obligation to build and to prepare an RFP/RFQ to solicit a firm for design and engineering to be paid for with the grant money, which was seconded by Commissioner Ahern.

Discussion:

Commissioner Ahern suggested that the people who are building the biomass facility at Glenclyff come in and speak to the Commissioners about the project.

Commissioner Cryans said he would like to see some figures that refer to a 15 to 20 year payback. He asked Director Clough if there was any reason that the Board would not be able to spend the grant or did she think they would they need some kind of authorization and she replied no.

Commissioner Ahern said he would like to see about the facility being able to supply electrical power as well and Supt. Oakes said he would look into that.

When the vote was taken, all were in favor.

H. Brown was recognized and stated that the door to the conference room has the capacity to be locked and that should not be because there is a fire exit in the room. Supt. Oakes said he disagreed and that the door was proper.

Bids for propane were solicited again and only one bid was received. Commissioner

Cryans opened the bid which was from Dead River in the amount of \$2.559. The last bid received from them was \$2.58. Supt. Oakes suggested going out to bid another time which was agreed upon.

There was a discussion about who owns the propane tanks that are on the property and Supt. Oakes said that Dead River owned them. The thought was that no other companies would be interested in bidding if someone else owned the tanks. New tanks are being put in at the new Jail and there was a discussion about whether or not it would be prudent to install the County's own tanks which would allow more freedom when it came to purchasing propane. Supt. Oakes will check into the cost of having that done.

Supt. Oakes informed the Commissioners of a significant change order from HP Cummings which stated that the winter costs far exceeded their original charge by \$100K. There was a question as to why the County was responsible for that cost if HP Cummings underestimated it and Commissioner Ahern asked if that's what the contract stated. Supt. Oakes said it would be exclusive of the contract. Commissioner Ahern said he hasn't had a chance to read the contract yet but he wasn't sure that cost would be the County's responsibility. Commissioner Cryans said he's fine with it if it is justifiable.

Commissioner Cryans asked Supt. Oakes how the warranty on items in the Jail would be affected if the opening is postponed, which he is opposed to. Supt. Oakes said the warranty begins when the Jail is turned over to the County.

Commissioner Cryans moved that the Board of Commissioners strongly encourage the Executive Committee to move forward with the opening of the Jail on or about spring of 2012, which was seconded by Commissioner Burton.

Discussion:

Commissioner Burton said that this has been seen through to the Supreme Court and noted that the current facility is unsafe. He said this project should move forward.

Commissioner Ahern said he thinks the motion is unnecessary.

Martha Richard who was still present said that she is aghast at hearing that the Executive Committee is considering postponing the opening of the Jail and that the whole philosophy of the Facility is being missed. She said it is time for the Commissioners to make a strong statement and she applauds this motion. She said the Jail must open on time.

Commissioner Burton said he had not heard anything in the towns he visited that are in Rep. Gionet's district (who made a motion to postpone the opening of the Jail for a least a year), and agreed it should open.

Commissioner Ahern said that the Board of Commissioners has spoken to this issue in the

approval of the budget and feels that this vote is meant to embarrass him personally. Commissioner Cryans said this isn't meant to embarrass anyone but this issue goes back a long time and it is time to stand up and say it is time to move forward. He said he feels this is right and noted that the current facility is not a great atmosphere for employees.

Supt. Oakes said the liability in the current Jail needs to be considered.

Commissioner Ahern said that all the opinions expressed have been well documented and he does not want to step on the actions of the Executive Committee.

When the vote was taken, Commissioners Burton and Cryans were in favor and Commissioner Ahern was opposed.

Supt. Oakes said he would like to have some clear direction on what to do about the water tank. Commissioner Cryans said his preference would be to put in the permanent valve at the cost of \$90K.

Commissioner Burton asked if there was money for the test wells and Supt. Oakes said there is money for the test wells and the geophysical survey.

Commissioner Ahern said he didn't think they were going to make any decisions until they met with Woodsville Water & Light. He said he was waiting for the timeline information from the Supt.

There was further discussion

Commissioner Burton moved to start drilling the test wells. There was no second to the motion.

No action on the water tank would be considered until after the meeting with WW&L. Supt. Oakes and Martha Richards left.

**Brian McCarthy from Habitat for Humanity** arrived to request that the Commissioners sponsor a CDBG grant for four medium income houses in Bristol. He brought information regarding the project and said that he went to the town of Bristol but they may be using their option for a grant to do infrastructure work themselves and could not commit to sponsoring the grant.

Commissioner Cryans asked Director Clough if there were any pending projects and she replied that there was nothing at this time.

Mr. McCarthy said that these are 0% mortgages which must be applied for under certain financial standards. He said there is a rigorous selection process.

Commissioner Burton said it is not unusual that towns are unable to apply for these grants and the County is the next step in that. Mr. McCarthy said it's not because Bristol can not apply, they just might use a grant themselves, and they're just not sure at this time. If they decide not to however, Mr. McCarthy said his preference would be to go through them first as it is better for the application process.

Commissioner Ahern said he would like a chance to look over the information. It was noted that the Commissioners will not be meeting next Tuesday and time is of the essence. Commissioner Ahern said he would go through the material during lunch and would perhaps be ready after that. They could call Mr. McCarthy with the answer. Mr. McCarthy thanked the Commissioners for their consideration.

12:12 The Commissioners recessed for lunch.

12:50 The Commissioners resumed their meeting.

The Commissioners reviewed and signed the check registers.

Commissioner Cryans asked if everyone had a chance to read the minutes from May 17, 2011 and if there were any edits or changes. Commissioner Ahern had a couple of edits.

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

Director Clough presented a letter of recommendation from Treasurer Elliott to reappoint Frank Stiegler as Deputy Treasurer. The letter stated that both she and F. Stiegler were in agreement to this.

Commissioner Burton moved to appoint Frank Stiegler as Deputy Treasurer which was seconded by Commissioner Ahern.

Discussion:

Commissioner Ahern asked if there was any conflict of interest because Mr. Stiegler works at Woodsville Bank and the County has accounts with that bank. Director Clough said that he is not involved with any of the decisions regarding accounts with the County.

When the vote was taken, all were in favor.

A letter was received from Grafton County Senior Citizens Council thanking the County for assistance they received from inmates and work that was done at Senior Centers along with donations of produce received.

There will be a celebration of a Nursing Home resident's 90<sup>th</sup> Birthday on the 2<sup>nd</sup> of June at 2:00 PM.

**Corrections Superintendent Libby** arrived and asked the Commissioners what they would like him to do based on the statements and conversation of the Executive Committee at yesterday's meeting. He said that Rep. White asked to see a \$500K cut from his budget

Commissioner Burton told Supt. Libby to use his best judgment, cut back, open the Jail

and make it safe for inmates.

Supt. Libby said he needs the Board to understand that he feels the Executive Committee has far exceeded their authority and if he needs to make the cuts he will, but it needs to be understood that the programs will not be available as promised.

Commissioner Cryans said there will need to be questions answered and those questions are: does the Delegation just want to house inmates with no programs and to eventually deal with recidivism or provide the resources which are meant to reduce costs down the road. He said to just cut out \$500K is draconian at best.

Supt. Libby said he could look at staffing but changing hours and having someone who has never worked in a jail look at the schedule and say you don't need certain staff is asinine. Commissioner Cryans said maybe it is best to just look at some part-time hours and then perhaps the nurse he planned to bring on and start there.

Supt. Libby said he is frustrated and feels for the current staff, who have been able to endure just because they saw a light at the end of the tunnel. He said he feels that some of the Executive Committee members don't even know the statutes and that he reports to the Board of Commissioners and not the Delegation.

Commissioner Ahern said the Delegation are the ones who hold the purse strings. He said that people are hurting out there and taxpayers can't absorb any more taxes.

Commissioner Cryans said he has never shied away from the fact that the new Jail is going to cost money. He said there are things beyond anyone's control in the budget. He said the only thing the committee can wrestle with is the new Jail and employees and benefits. He added that this is a House of Corrections. Supt. Libby wondered if it were being considered to be a warehouse instead.

Director Clough said that when the Delegation voted for this it was decided that it would be a Correctional Facility and that like it or not, the County is statutorily mandated to operate a safe humane facility.

Supt. Libby went over some of the things that he is looking at for reductions. He said that he is not willing to continue operating in an unsafe manner and suggested that the Delegation will show "deliberate indifference" if the new facility doesn't open on time.

Commissioner Ahern said there appears that there are going to be some Correctional Officers available from the State and asked Supt. Libby if perhaps they can be used since they're already trained as CO's. Supt. Libby said that could be considered.

Director Clough said that the new Jail costs are \$790K, which means adding no people and she didn't see the reality of that. Commissioner Cryans said he didn't think that removing the programs was a good way to go either.

Supt. Libby said he's not a quitter but he didn't feel like he could continue to fight this any longer. Commissioner Burton offered words of encouragement and said he feels the Executive Committee will "come around".

Commissioner Burton said that if there is any disagreement between Commissioners Ahern and Cryans then he supports Supt. Libby taking it directly to the Executive Committee when they meet on Friday.

Commissioner Cryans said he does not look to Supt. Libby to come in Friday with some huge draconian cut.

Supt. Libby left.

Commissioner Cryans asked if everyone had a chance to read the minutes from May 18, 2011 and if there were any edits or changes. Commissioner Ahern had a couple of edits.

Commissioner Ahern moved to approve the minutes from May 18, 2011 as amended which was seconded by Commissioner Burton. All were in favor.

An email to Commissioner Cryans was received from someone in Lebanon which stated support for UNHCE programs and no reduction of programs.

Director Clough informed the Commissioners that she had spoken to Coos County about their audit and was told that the second part of the audit cost them \$21K which would be similar to what was charged to Grafton County last year.

Commissioner Ahern thought the first part of the audit with Mason & Rich should also be bid out. Director Clough said it was put out to bid 3 years ago and Mason & Rich just completed their 3 year contract. Commissioner Cryans said he would like to see Mason & Rich continue on so they had some continuity but Commissioner Ahern thought it should be put out to bid. There was discussion as to whether there would be enough time for this and Director Clough thought there would be.

Commissioner Ahern moved to put out to bid the preparation of the financial statements in preparation for the audit per the statute which was seconded by Commissioner Burton.

Discussion:

Director Clough said that this is a service and not a purchase so she disagreed with the suggestion that it needed to be put out to bid.

Commissioner Burton asked if there were any auditors in Grafton County and Director Clough said there are only four municipal auditors in the State and the closest was Laconia.

When the vote was taken, Commissioners Burton and Ahern were in favor and Commissioner Cryans was opposed.

It was agreed by all that there would be no meeting on the 31<sup>st</sup> of May.

Commissioner Ahern moved to approve that Grafton County be the applicant for the Pemi Valley Habitat for Humanity CDBG grant, in the event that the Town of Bristol is unavailable to do so, and with the caveat that all the proper necessary required land use or

approvals are met, which was seconded by Commissioner Burton. All were in favor.

Commissioner Burton said that he would encourage the PVHH project use local vendor and craftsmen on the project, particularly those who are currently unemployed.

### **COMMISSIONER ISSUES:**

The Barbara B. Hill fund was discussed as L. Gibson had asked about its status. Director Clough said that letters were sent out to all the advisors that the fund was being drawn down and would be closed at that point. Commissioner Cryans explained to Commissioner Ahern how the fund was started and what the money was used for over the years. Money had not been raised for quite some time.

Commissioner Ahern attended the UNH Advisory meeting last night.

Commissioner Ahern said that he would like to see the poultry efforts continued by the Farm and the eggs sold at \$3.00 per dozen.

Commissioner Ahern will be meetings with the Selectboards in the towns that he represents and will bring back any concerns.

Commissioner Cryans attended the Drug Court gathering at Webster Place of the National Drug Court Institute. There was a judge from George who was guest speaker. NH Attorney General Mike Delany, Judge Tim Vaughn, CA Lara Saffo, DC Coordinator Bob Gasser and many others were in attendance.

Commissioner Ahern asked if there was any interest in speaking with R. Crocker regarding setting up a community action committee and Commissioner Burton said yes, but not until after the budget is complete.

2:25 PM being no further business the meeting was adjourned.

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Raymond S. Burton, Clerk