

GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Hwy

North Haverhill, NH 03774

August 19<sup>th</sup> 2014

PRESENT: Commissioners Michael Cryans, Martha Richards and Linda Lauer, Executive Director Julie Clough and Admin Assistant S. Norcross.

OTHERS PRESENT: HSA Bishop, Supt. Oakes

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

HSA Bishop arrived and gave the following report (\* see attached)

Commissioner Cryans asked if everyone had a chance to read the minutes from August 12<sup>th</sup>. Commissioner Lauer moved to approve the minutes from the August 12<sup>th</sup> meeting. Commissioner Richards seconded the motion and all were in favor.

The Commissioners signed check registers 623 & 624; 1022-1029.

ED Clough stated that Atty. Saffo would not be able to attend her meeting this month due to upcoming trials. ED Clough gave the Commissioners Atty. Saffo's report and stated that if they have any questions they can contact Atty. Saffo. Her report was as follows.

Office of the Grafton County Attorney  
Lara Saffo, County Attorney  
August 19, 2014  
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.

(1) Statistics

January 1, 2010 – August 15, 2010	329 cases
January 1, 2011 – August 15, 2011	483 cases
January 1, 2012 – August 15, 2012	464 cases
January 1, 2013 – August 15, 2013	502 cases
January 1, 2014 – August 15, 2014	464 cases

(2) New Court Initiatives – September conference

The Court has a number of initiatives that are being considered in New Hampshire. Accordingly, I will keep providing updates on the status of each initiative, as it dramatically impacts Grafton County, more so than in other counties.

a. Initial Appearance Pilot Project

This is the same information as last month. We hope soon to obtain some statistics. Because this initiative is so important, I am continuing to provide this information in this monthly report. Strafford and Cheshire have both started this pilot project. Under this pilot project, after a defendant is arrested, the case is still filed in Circuit Court first, and the probable cause hearings still occur in Circuit Court. A bindover from Circuit Court is still, as now, sent to Superior Court after the probable cause hearing.

The new process occurs after the bindover is received. Within thirty days of a bindover being received in superior court, regardless of whether the defendant has yet been indicted, the case is scheduled for a new hearing, known as an “Initial Appearance.” The State will have had to have provided discovery and a plea offer ten days before the Initial Appearance, basically within twenty days of the bindover being received in Superior Court. There is an opt out process if the case is not ready for plea negotiations.

This involves a significant amount more work, as the County Attorney offices have to ensure we receive all the discovery, review it on an expedited basis, send it on an expedited basis, and make a plea offer on an expedited basis. If there are victims, our victim-witness program has to reach out on an expedited basis as well, which

completely changes their system, as currently they mail the indictments and pamphlets for victims to review before telephone contact is initiated.

That being said, I am willing to give this a try, provided we are provided with sufficient time to review a file with a victim, so we comply with the Victim's Bill of Rights. As noted below, I am already working on Early Case Resolution procedures, and this fits into those procedures, at some level.

b. Felonies First

Under this system, felonies would be filed in superior court, and the county attorney offices would be responsible for these cases at arrest. We would handle the initial bail hearings and the probable cause hearings, both of which are currently handled by the police departments. This will significantly increase our workload. As you well know, I am extremely concerned about the increased cost to police departments associated with probable cause hearings if they have to travel to North Haverhill. I have offered various options to avoid this: simply continue to have probable cause hearings in circuit court or follow the procedures used in both Vermont and Maine and have officers file affidavits, under oath, outlining the basis for probable cause in lieu of a court hearing. I am also willing to consider officers appearing via video, but that appears to have some significant disadvantages.

There is an all day conference on September 19<sup>th</sup>, 2014 to discuss these issues with the Court that I will be attending.

c. Bail Commissioners filling out financial affidavits with defendants

This initiative has been costly for smaller police departments as it requires the police to continue to monitor a bail commissioner and defendant at the police department instead of being back on patrol. This process is in place, but we are monitoring it so we can make recommendations regarding this procedure.

d. Victim attendance at dispositional conferences

We are in contact with Hillsborough County about potential future requirements for victims to attend dispositional conferences, and hope to have more information shortly on the real life impact of this initiative. We support dispositional conferences, but do not feel victims should be required to attend, especially if they can provide their input over the telephone or traveling to North Haverhill and/or missing work or caring for family members is difficult.

(3) Early Case Resolution

As noted earlier, we are moving along implementing ECR principles in the office, along the lines of what is done in Strafford County. This month the goal is to develop / adjust our prior policies and procedures. Fine tuning our approach is necessary, as we try new things.

To keep statistics, we have added a feature to Karpel. When a case potentially can be resolved as ECR, we so note in Karpel.

(4) Training

We continue to work with police departments to determine what training they would like to offer at their agencies. We most recently presented on First Amendment issues this past month.

(5) Prosecutors

The two new prosecutors have started working at our office. We are grateful for their assistance in our busy workload.

(6) Shoplifting

We have purchased five shoplifting training courses to offer as part of sentencing. They cost the county \$75.00 each. If a defendant is ordered to complete this course, we will require the defendant to reimburse the county for the course. As they are used, we will purchase more courses to offer as a sentencing option in both circuit and superior court. We will provide them at our cost. Colleen Strout will be the contact person. These are the same courses used by the Adult Diversion program in Merrimack County, except for an additional \$10.00 the company provides monitoring and reports on potential risk to reoffend. The information on this sentencing alternative is on our website.

(7) Grant

The grant submitted for the drug court is still pending. We should hear shortly.

(8) Circuit Court Victim-Witness Program for Domestic Violence and Sexual Assault cases

Our Ameri-Corp volunteer has been assigned to our region. We are very excited about this new, cost effective initiative. To facilitate her learning about the resources available in Grafton County, I am asking that she be able to have access to use desk space, along with the interns, in the White Building. She can also attend drug court and mental health court

and learn about Restorative Justice. She also can use one of the attorney's offices while they are on FMLA for most of the fall, and then will be situated in police departments. The intern's training will occur in September and in October she and I will travel to all the police agencies, and design the program for circuit court victim witness services together.

(9) The Child Advocacy Center



The Director of the CAC and other team members greatly appreciated Commissioner Cryans' attendance at their annual event, and appreciated the opportunity to talk about their program. Thank you! It is my understanding you will be touring the CAC facility.

Last year, the Grafton and Sullivan County CAC at DHMC conducted 180 forensic interviews of which 5 were extended forensic interviews for Grafton County. They also conducted 8 outreach/education/prevention presentations to schools/community providers reaching 155 participants.

In July, the CAC conducted 12 forensic interviews. As of August 11<sup>th</sup>, they had six additional interviews for August.

As noted earlier, goal for me for 2014 is to work on a new procedure in the Office of the Grafton County Attorney regarding child sexual assault cases, in which our investigator is available to answer police department questions on investigations, our prosecutors review the forensic interview close in time to it occurring, and our Victim-Witness Program is involved soon after the CAC interview occurs. I also wish to find space in the Plymouth area. The CAC's budget cannot accommodate this commitment. Wayne Fortier is assisting me in developing this new procedure.

11. Grafton County Mental Health Court



Halls of Hope  
Second Circuit Court, Lebanon Division



“A.S.S.E.R.T.” Alternative Sentencing Solutions for Education, Recovery and  
Treatment

Second Circuit Court, Littleton Division

The Plymouth Mental Health Court

Second Circuit Court, Plymouth Division

Shelly Golden, our mental health court coordinator, is fielding more and more calls from the public in Grafton County looking for assistance for a family member or friend suffering from a mental health illness. It is becoming a significant part of our work in Grafton County. I would like to take the time next month for Shelly Golden to come and talk to you about these contacts. I look forward to assisting these programs as they transition into a new Alternative Sentencing Department. This will be a dramatic improvement in our criminal justice system, and we are honored to be a part of this initiative. We are working on developing new recommendations for the contracts with the providers.

(10)Restorative Justice

I recommend continuing the existing contracts 6 months, so the new Director can review the contracts, and make his or her recommendations regarding moving forward. I have been extremely pleased with the expansion of Restorative Justice in Grafton County. It's hard to believe how far we have come since this time last year.

(11)The White Building

If you have not been next door, please go. The resources are being well organized by everyone, and we look forward to seeing increased use of this space. We are now continuing to make it user friendly. The next focus will be the employment search area, with a section for juveniles looking for summer work, and opportunities that may present for juveniles.

(12)Justice Involved Veterans

As you know, our drug court and mental health court continue to network directly with Mike Owens, the Justice Involved Veterans Outreach Worker for White River Junction's VA. We feel strongly that this is improving how we serve veterans.

Grafton County is now being considered for the second "Veterans Behavioral Health Track" in New Hampshire. Yesterday we hosted an all-day training for the mental health court team members considering a Veterans Court. SAMSHA funded the cost, and provided the expertise. I have not yet had the chance to learn about what happened yesterday, but look forward to it. Kudos to Shelly Golden and Jo Moncher for their hard work making this happen on short notice. We also greatly appreciate the dedication shown by the team members who made the time to attend this conference. An excellent source of information about Veterans Courts is at <http://www.justiceforvets.org/>.

(13)Circuit Court Prosecution

We have continued to work hard to coordinate and support the circuit court prosecutors in Grafton County. We have started a webpage entitled the NH Prosecutors Network, with a section for Circuit Court prosecutors, which is developing in leaps and bounds. Thanks again to Sam Norcross.

(14)Drop Box / Webpage

We hope to focus on the NH Prosecutor's Network so we can share legal research among prosecutors merely by logging onto the Network. Again, thanks to the Commissioners, the IT Department and Samantha Norcross for their hard work on expanding access to information on webpages.

We are looking into whether some defense attorneys are interested in obtaining discovery via drop box, which would save costs in copying, and have an effective mechanism to track discovery.

(15)Facebook

This month we are hoping to go on line with our Facebook page. We will "friend" all the law enforcement agencies that have Facebook pages, so the prosecutors in my office, and you, can go to one location to see all Grafton County law enforcement postings. This is another effective mechanism to relay safety information to the public. In addition, it is vital that the public learns about the many good things happening in our police departments. This is another avenue to spread that information.

ED Clough read a thank you from Bath Historical Society to the Commissioners for their donation to the Raymond Burton Museum and Learning Center and for allowing them to have a donation jar at Open Barn Day.

Supt. Oakes arrived and gave the following report:

**COMPLEX**

**Biomass District Heating System Project**

Open Issues

- Resolve As-built Drawings discrepancies
- Unresolved engineering problems related to start up
  - Bypass controls...submitted change order proposal to mechanical engineer for approval. On 5/27 engineer verbally approved proposal. I am now in the process of

trying to secure funding from engineer's insurer to pay for this change as well as get reimbursement for to two other change orders we paid for that engineer said he would reimburse us for. *Still working with our lawyer to get reimbursement*

- Expansion issues...performed cold start for engineer on 5/27 to verify whether differential pressure equipment, introduced into the project as a change order, would allow system to run at 30 psi without blowing off pressure relief valves in nursing home and Admin Bldg boiler rooms. Highest system pressure recorded during test was 28 psi. However, in the past system pressure often took more than 24-hours stabilize. This test was conducted just for several hours. Due to the short duration of the test the results were inconclusive whether the issue was fully resolved or not. *Will redo test early next winter when we have a larger thermal load and 24 staff coverage*

**Sewage Pumping Station** – In fault for low battery, replaced battery went into fault again, found 2<sup>nd</sup> battery in panel box, replaced

**Generators Minor Preventive Maintenance** – All generators checked and tested by Powers Generator

**Backflow Devices Tested** – Devices tested in Complex except DOC with one failure in the Administration Building, unit repaired and retested

#### COURTHOUSE

**Preventative Maintenance (PM)** – Performed various PM tasks throughout.

**Corrosion on steel frame by Front Entrance** - Removed rust and found hole in steel frame, ground down steel, treated had steel plates cut to cover areas, sealed and painted

**County Attorney Office** – Move office equipment and phones to various locations for new hires

**AEDS** – CPR-D paddles had an expiration date of 2012...*ordered new pads and installed*

#### NURSING HOME

**Preventative Maintenance (PM)** – Performed various PM tasks throughout

**Emergency Egress Light Project** – CFW Electric installed egress lights in all the stairwells. Of these lights, all were on the Recall list...replaced *circuit boards*

**Beds** - 30 new beds for nursing home arrived 7/21, as of 8/14; all beds were assembled and put onto the floors.

The old beds were dismantled, common parts saved and steel recycled.



**CO Detectors** – Five Detectors installed at Nurses Stations and Administration Area

**Dryer Booster Fan Project** – Waiting for dimensions of adapter from wall opening to fan unit to pour concrete pad and make stand for fan unit

**Kitchen** – Bakery lower oven not igniting, Replace thermocouple assembly

**Kitchen** – Ceiling leaking water, condensation in AC unit in attic, determined insulation was blocking drain...removed insulation

**Boiler No 1** – Pressure Relief valve leaking...installed new PRV

**Exterior Lighting** – Two of the LED fixtures on the 69 West Wing not working ... *replace drivers in both fixtures*

### ADMINISTRATIVE BUILDING

**Preventative Maintenance (PM)** – Performed various PM tasks throughout.

**Roof** – Broken slate tiles replaced on roof...*job completed*

**AED** – CPR-D paddles had an expiration date of 2012...*ordered new pads and installed*

**Deeds Storage Room** – Out dated equipment in storage room in basement removed and recycled

**Relocation Project** – Material ordered for doorway at top of stairs, toilet seats for residents, smoke and CO detectors

**Rooms 25 & 26** – Water intrusion damage...walls removed, electrical repaired, ceilings installed, walls repaired and painted, floor tiles replaced, fin tube heat reinstalled, finished

### DEPT OF CORRECTIONS

**HVAC** - Multistack WHP-B2 had Glycol supply line to source side leaking where Head Pressure Control valve was removed... *replaced Victaulic seals on flange side and clamp side, tested*

**HVAC** – HP-B1 not working tripped out on high condensate water alarm, drained, adjusted, reset unit and computer. Tripped again 8/12, drained, reset, drain needs to be rerouted

**Extinguisher Cabinet** – Received cabinet and lock, installed cabinet but lock wrong handed have to ship back to factory

**Roof** – Traction material purchased to put down on roof to prevent slips/falls ... *On going*

**Washers** – Smaller washers in cell areas under repairs ... *replacing door gaskets and pumps*

**Electrical** – Five emergency exit lights are in alarm (reoccurring problem). Suspect too many common wires clumped together. *Interstate Electric troubleshooting further on 7/28 (warranty)*

### **BIOMASS PLANT**

**Preventative Maintenance (PM)** – Performed various PM tasks throughout.

### **Farm**

**Gutter Cleaner Roof Project** – Drawings and material list made, material list let out for pricing

### **MAINT/FARM BUILDING**

**Preventative Maintenance (PM)** – Performed various PM tasks throughout

**Farm Shop** -Entry door lock broken had to drill key core cylinder out and replace

### **DRUG COURT BUILDING**

**Preventative Maintenance (PM)** – Performed various PM tasks throughout

**Basement** – Items left in basement were removed and basement cleaned

### **VEHICLES & EQUIPMENT**

**Preventative Maintenance (PM)** – Performed various PM tasks

### **OTHER**

ED Clough submitted an overnight travel request from Director Andross for a new dispatch employee to attend a four (4) day required training in Concord.

Commissioner Richards moved to approve the overnight travel request. Commissioner Lauer seconded the motion and all were in favor.

ED Clough stated that the Commissioners' County report dedication is due by September 19<sup>th</sup> and that the NHAC Awards Nominations are due by September 5<sup>th</sup>.

ED Clough reported that they had received a number of applications for the Alternative Sentencing Director position, she will read through them this week. She and HRD Cramer will identify interview candidates.

Commissioner Lauer stated that she attended the Landaff 250<sup>th</sup> celebration and delivered a commendation. She also attended the Bath Covered Bridge opening.

Commissioner Richards stated that she may be interested in participating in the Alzheimer's walk at the nursing home and discussed it with the Commissioners.

The Commissioners discussed the North Country Council 41<sup>st</sup> annual meeting and dinner, October 22<sup>nd</sup> and who might be attending.

\*10:05 AM - Commissioner Lauer 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 Richards seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Cryans "yes"; Commissioner Richards "yes" Commissioner Lauer "yes"; Commissioner Cryans stated that a majority of the board voted yes and would now go into non-public session.

\*10:40 AM– Commissioner Cryans declared the meeting back in public session.

Commissioner Richards moved to permanently seal the minutes from the just completed non-public session in the event they could affect the reputation of someone other than those of the Board of Commissioners. Commissioner Lauer seconded the motion and all were in favor.

10:44AM With no further business the meeting adjourned.

Respectfully submitted,

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Linda D. Lauer, Clerk

August 19, 2014

## HUMAN SERVICES MONTHLY REPORT

### 1.) LTC Expenses to date:

- Payment by Towns Report
- Recoveries

### 2.) Legislation:

- LTC Legislative Subcommittee agenda for Aug. 21

### 3.) Other:

- Jul 30 -Met with Barbara McCahan & Denise Normandin from Healthy PSU to discuss wellness
- Tobacco Free Tuesdays begin September 2
- September 26 – DHHS holding BIP Conference

# Grant Total by Town

From: 07 / 2014 To: 07 / 2014

Town	INC \$	# I Cases	HCBC \$	# H Cases	Total \$	# T Cases	
ALEXANDRIA	5,598.78	3	577.87	2	6,176.65	5	
ASHLAND	12,047.58	6	1,922.93	6	13,970.51	12	
BATH	14,539.01	7	298.20	1	14,837.21	8	
BENTON	2,909.59	2	0.00	0	2,909.59	2	
BETHLEHEM	16,573.25	8	5,005.85	6	21,579.10	14	
BRIDGEWATER	2,096.16	1	938.42	2	3,034.58	3	
BRISTOL	16,314.69	8	1,765.53	3	18,080.22	11	
CAMPTON	10,341.84	5	9,900.49	14	20,242.33	19	
CANAAN	14,877.07	7	3,945.34	5	18,822.41	12	
DORCHESTER	0.00	0	793.62	1	793.62	1	
ENFIELD	19,340.38	10	10,057.21	9	29,397.59	19	
FRANCONIA	1,776.79	1	937.19	1	2,713.98	2	
GRAFTON	6,657.30	4	5,805.11	5	12,462.41	9	
HANOVER	10,381.05	7	1,499.02	2	11,880.07	9	
HAVERHILL	85,271.04	45	19,357.29	22	104,628.33	67	
HEBRON	6,630.53	3	0.00	0	6,630.53	3	
HOLDERNESS	7,911.98	4	0.00	0	7,911.98	4	
LANDAFF	6,714.79	3	1,918.79	2	8,633.58	5	
LEBANON	66,919.31	33	21,339.46	28	88,258.77	61	
LINCOLN	15,672.05	8	752.00	1	16,424.05	9	
LISBON	37,025.70	16	6,544.22	9	43,569.92	25	
LITTLETON	54,779.14	27	23,848.07	27	78,627.21	54	
LYMAN	1,880.39	1	0.00	0	1,880.39	1	
LYME	8,560.69	4	0.00	0	8,560.69	4	
MONROE	9,375.46	5	816.01	2	10,191.47	7	
ORFORD	4,071.53	2	2,174.35	3	6,245.88	5	
PIERMONT	10,805.90	6	1,492.37	3	12,298.27	9	
PLYMOUTH	19,916.40	10	4,681.64	6	24,598.04	16	
RUMNEY	11,010.03	5	457.87	1	11,467.90	6	
SUGAR HILL	2,175.07	1	1,639.85	2	3,814.92	3	
THORNTON	6,778.70	3	2,659.34	2	9,438.04	5	
WARREN	9,755.56	4	2,589.66	4	12,345.22	8	
WATERVILLE	1,819.80	1	368.75	1	2,188.55	2	
WENTWORTH	0.00	0	207.05	1	207.05	1	
WOODSTOCK	1,981.71	1	6,293.92	7	8,275.63	8	
XXXXX	-264,250.00	1	0.00	0	-264,250.00	1	
Grand Total Count:	36	238,259.27	252	140,587.42	178	378,846.69	430

Hello Everyone,

Looking forward to seeing you all on Thursday, **August 21, 2014** at the Long Term Care Subcommittee of the Health and Human Services Oversight Committee. The Meeting will be in **Room 205/207**, the agenda is as follows:

## **Agenda**

**12:30 – 1:45** Report of the regulatory workgroup on recommended legislation – for those that are interested.

1. amendments to RSA 326 (nurse delegation and med. administration by LNA's). I have referred this bill to the GAC of NHNA since your meeting with the BON was so challenging.
2. amendment to RSA 151-E:3, V-b (eligibility for LTC)
3. amendment to RSA 281-A:2, (securing payment of Compensation for Domesticity)
4. amendment to RSA 151:21 V (involuntary transfer or discharge from a facility)
5. amendment to RSA 151-E:1 (LTC policy statement)  
Lorene Reagan & Jeanne Donohoe – Co-Chairs

**2:00 – 4:00** \*Step 2 update – Sheri Rockburn, CPA, CFO, DHHS focus will be on frail elders and those with physical disabilities.

\*What have we learned so far – Rep. Harding & Rep. Spratt

\*What do we still need to know – Rep. Harding & Rep. Spratt

Rep. Laurie Harding  
Health and Human Service and Elderly Affairs Committee, Vice Chair  
Grafton 13, Lebanon, NH 03766  
603-667-7734

recoveries

**Yearly Comparison by Category:**

	<u>FY 05</u>	<u>FY 06</u>	<u>FY 07</u>	<u>FY 08</u>	<u>FY 09</u>	<u>FY 10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	FY15
OAA	3,329.19	1,653.21	921.75	84.00	4,155.75	.00	0.00	121.47	0.00	7,797.95	0.00
APTD	7,234.68	7,792.33	22,903.47	8,021.27	7,703.85	9,194.83	1,896.05	4,678.04	9,823.56	8,340.25	0.00
INC	167,814.26	81,951.55	75,987.80	98,901.58	82,160.57	68,864.90	108,198.38	113,498.16	122,895.30	166,393.61	0.00
ANB	0	0	0	0	0	0	0	0	0	12,330.60	0.00
<u>DCYF</u>	<u>79,472.22</u>	<u>64,323.81</u>	<u>60,257.00</u>	<u>53,355.60</u>	<u>19,428.43</u>	<u>7,364.96</u>	<u>6,484.20</u>	<u>2,921.93</u>	<u>2,338.00</u>	<u>3,206.71</u>	<u>1,649.46</u>
	257,850.35	155,720.90	160,070.02	160,362.45	113,448.60	85,424.69	116,578.63	121,219.60	135,056.86	198,069.12	1,649.46

**BREAKDOWN by Month**

	<u>FY 15</u>	<u>July</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>TOTALS</u>
OAA		.00												-
APTD		.00												-
INC		.00												-
ANB		0												-
<u>DCYF</u>		<u>1,649.46</u>												<u>1,649.46</u>
TOTALS			-	-	-	-	-	-	-	-	-	-	-	1,649.46

**Statutory credits received by year**

					HB 2 credits	begin							
SB 409 CREDIT	130,846.08	135,155.63	134,974.30	154,555.54	405,553.00	385,865.41	369,992.00	436,979.00	449,594.00	274,069.00	264,250.00		
% OF TOTAL CR	6.54	6.76	6.75	7.73	8.11	7.72	7.40	5.82	5.96	5.48	5.29		