

GRAFTON COUNTY COMMISSIONERS' MEETING
3855 Dartmouth College Hwy
North Haverhill, NH 03774
September 9th 2014

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

OTHERS PRESENT: Treasurer Bonnie Parker, FM Kimball, RD Monahan, CA Saffo.

Treasurer Parker arrived to discuss Tax Anticipation Notes

Treasurer Parker stated that she has researched rates at Mascoma, Ledyard, Lake Sunapee, Woodsville Guaranty and others to determine the best option for the County's Tax Anticipation Note of up to \$ 5 million in the form of a Line of Credit that will be needed to meet our obligations for the remainder of 2014.

She stated that Woodsville Guaranty Savings Bank has once again offered Grafton County the most favorable terms for establishing this line of credit to meet our 4th quarter needs while awaiting tax receipts. The rate is .50% which is much lower than other banks.

Treasurer Parker stated that she recommends that Grafton County establishes their Tax Anticipation Note line of credit of up to \$5 million at Woodsville Guaranty Savings Bank.

Commissioner Richards moved to accept Treasurer Parker's recommendation to establish a Tax Anticipation Note through Woodsville Guaranty and their rate of .50%.
Commissioner Lauer seconded the motion and all were in favor

FM Kimball arrived and gave the following report:

- 1) We are currently 70 cows and shipping 10,000lbs of milk. We are averaging 72 lbs per cow.
- 2) Price of milk is current \$24.55 per hundredweight.
- 3) We are cutting the third crop of grass. We are hoping to be done by Wednesday night with 30 acres chopped and about 70 acres of it bailed.
- 4) FM Kimball just returned from vacation and will be taking another week and a half starting September 11th and returning the 22nd.
- 5) The potatoes are doing excellent. They have killed the tops off the last batch so they will not have to worry about blight this year.
- 6) The Farm Stand is doing very well. They just started selling pumpkins and some squash.

RD Monahan arrived and gave the following report:

**Grafton County Registry of Deeds
Kelley J. Monahan Register
Report to Commissioners
September 9, 2014**

September Revenue

County Revenue 8/2009	\$ 79,119.21	State Revenue 8/2009	\$ 451,161.32
County Revenue 8/2010	\$ 82,306.17	State Revenue 8/2010	\$ 561,433.92
County Revenue 8/2011	\$ 92,307.85	State Revenue 8/2011	\$ 665,294.40
County Revenue 8/2012	\$ 91,223.74	State Revenue 8/2012	\$ 599,279.08
County Revenue 8/2013	\$100,189.73	State Revenue 8/2013	\$ 732,258.24
County Revenue 8/2014	\$107,943.41	State Revenue 8/2014	\$1,732,258.24

Foreclosures

2009 121 year to date		
2010 151 year to date		Revenue goal FY/2015 \$950,000.00
2011 146 year to date		2 month total <u>\$216,553.08</u>
2012 130 year to date		(\$733,466.92)
2013 113 year to date		<u>Surcharge Funds</u>
2014 106 year to date		Bank of New Hampshire \$ 30,189.94
		Ledyard Bank CD .50 <u>\$100,977.80</u>
		\$131,167.74

Respectfully Submitted,

**Kelley J. Monahan
September 9, 2014**

*9:32 AM - Commissioner Lauer moved to enter into non-public session for the purposes of discussing the hiring of any person as a public employee according to RSA 91-A:3, II (b). 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.

*9:44 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.

Commissioner Cryans asked if everyone had a chance to read the minutes from the September 2nd meeting. Commissioner Lauer moved to accept the minutes from the September 2nd meeting.

Commissioner Cryans seconded the motion and all were in favor. Commissioner Richards abstained.

The Commissioners signed check registers 626, 1036-1038.

ED Clough submitted the MS1 Form for Livermore to be signed by the Commissioners.

ED Clough read a letter from COA Dave Falkenham requesting to close the UNH Extension office on Friday December 26th. He stated that the two (2) county employees will be using earned time to cover the days.

Commissioner Lauer moved to accept the request to close the UNH Extension Office on Friday December 26th 2014. Commissioner Richards seconded the motion and all were in favor.

ED Clough presented an educational training request from Supt. Oakes. She stated he is requesting to attend a week long training in Manchester through PSNH to become a Certified Energy Manager. The total cost of whole trip will be \$1393.66 which will be covered under the education and conference line.

Commissioner Richards moved to accept the request for Supt. Oakes to attend training in Manchester. Commissioner Lauer seconded the motion.

Discussion:

Commissioner Richards asked if PSNH was putting on the training. ED Clough stated that by the information she has, it looks like it is a national training that PSNH is hosting in the State of New Hampshire.

The Commissioners voted on the motion and all were in favor.

ED Clough submitted a close out agreement on a CDBG for the Commissioners to sign.

ED Clough gave the Commissioners a thank you note from Office Administrator Alison Farina.

ED Clough read an email from Supt. Libby to the Commissioners. Supt. Libby stated that he currently has an old HP laptop that he uses that he would like to take with him when he retires. He has checked with IT on the value of the laptop which is \$175. All county related information will be removed from the laptop. The Commissioners were all in agreement and stated that it was fine that Supt. Libby take the laptop with him when he retires.

ED Clough discussed the passing of NHAC Executive Director Betsy Miller and wanted to know, as a county, if the Commissioners would like to do anything. The memorial service is

Friday from 3:00pm to 6:00pm at the Bennett Funeral Home in Concord. Her obituary stated in lieu of flowers they are asking for contributions to the Dana Farber Cancer Institute. The Commissioners agreed they would like to donate \$100 to the Dana Farber Cancer Institute.

Atty. Saffo arrived and gave the following report:

**Office of the Grafton County Attorney
Lara Saffo, County Attorney
September 10, 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 – September 9, 2010	384 cases
January 1, 2011 – September 9, 2011	529 cases
January 1, 2012 – September 9, 2012	521 cases
January 1, 2013 – September 9, 2013	537 cases
January 1, 2014 – September 9, 2014	496 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. Felonies First

On September 19, 2014 the Court has an all day felony case flow conference entitled “Felony Case Flow – Better Justice Sooner – Evidence Based Practices.”

As I have explained before, 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.

I have attached the agenda. I am trying to remain open minded, but to date I have seen no indication that my concern about police departments traveling to North Haverhill for probable cause hearings is being addressed in any way, shape or form. The system seems to be looking to Vermont and Maine. Ironically, they do NOT have probable cause hearings in Vermont or Maine, so my concern would be addressed there.

b. Initial Appearance Pilot Project

We hope to obtain some concrete information on this from Strafford and Cheshire County. 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.

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. In December, we are working with the New Hampshire State Fire Marshall's Office to conduct an all day training on arson investigations.

(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 starts on the 22nd. She will be training for two weeks up here, and then Lia and I will meet all the circuit court prosecutors to determine the best way that she can assist them in misdemeanor level domestic violence and sexual assault cases. 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



It is my understanding you will be touring the CAC facility on September 16, 2014. I am glad you are able to visit and learn more about the CAC.

The CAC has been busy:

County	Month	#FI
Grafton	August	20 (1 EFI)
	September to date as of the 4 th	2 (2 pending)
Sullivan	August	12
	Sept to date as of the 4 th	2

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

I invited Shelly to speak with you about the needs of constituents in our area. I have attached her report.

(10)Restorative Justice

I have attached a recent letter to the editor about the program.

(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 networking 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. The conference occurred, and the team is working on its recommendations. I will ask Shelly Golden to update you. 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

We did not go on line with our Facebook page, but hope to this month. 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

*10:33 AM - Commissioner Lauer moved to enter into non-public session for the purposes of discussing the hiring of any person as a public employee according to RSA 91-A:3, II (b). 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.

*11:35 AM– Commissioner Cryans declared the meeting back in public session.

Commissioner Lauer 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 Richards seconded the motion and all were in favor.

ED Clough discussed the financial reports for July with the Commissioners. She explained that there is a lot of red in revenue which is normally how the fiscal year starts as well as large pieces of expenses are paid out at the beginning of the year.

ED Clough stated that the top floor of the Administration building is full speed ahead in the moving process and will be completely relocated downstairs by October 3rd.

The Survey team was at the Nursing Home last week and the Nursing Home came through very well with only one (1) minor deficiency.

ED Clough discussed the meeting they had with Banwell and Estes & Gallup regarding the Nursing Home Project.

Commissioner Lauer stated that she participated in both the ALS Ice Bucket Challenge and Alzheimer’s Walk here at the County Complex.

Commissioner Cryans noted that next week’s Commissioners meeting will be held at the Enfield Town Offices.

11:51 AM With no further business the meeting adjourned.

Respectfully submitted,

Linda D. Lauer, Clerk