

Sullivan County NH  
Sullivan County Full Delegation  
April 28, 2008 / 9:00 am  
Newport County Complex

Type of Meeting:  
Date / Time:  
Place:

**Participants:**

Representatives: Peter Franklin (Chair), Ray Gagnon (Vice-Chair) Ellen Nielsen (Clerk), John Cloutier, Larry Converse, Brenda Ferland, Sue Gottling, Matthew Houde, Arthur Jillette, and Carla Skinder  
County Commissioners: Ethel Jarvis; Ben Nelson  
Other Elected Officials and County Employees: Michael Prozzo, County Sheriff; Marc Hathaway, County Attorney; Bruce Cardello, District Court Judge; Greg Chanis, Interim County Manager; Ross Cunningham, Corrections Supervisor; John Gramuglia, Director of Treatment Program  
Public Participant: Tom Connair  
Press: Aaron Aldridge from the *Eagle-Times*

The meeting was called to order by the chair, Rep. Franklin, at 10:05 am.

**Agenda Review:**

The order of the agenda was changed in order that Judge Cardello might address the delegation before the Newport District Court session began, and that the Department of Corrections presentation might follow directly after Judge Cardello.

**Judge Cardello's Remarks:**

Newport District Court Judge Bruce Cardello spoke in support of the Corrections Department proposal to create a new treatment program facility and upgrade the existing county jail facility. He pointed out that a residential treatment program will reduce recidivism and will eventually reduce the jail population because a large proportion of the inmates go to jail or return to jail because of substance abuse or mental health issues. He said that we cannot afford to build a new jail, nor can we afford to do nothing. Judge Cardello believes the proposed program makes sense on both a financial and a human level.

**Department of Corrections Presentation:**

Mr. Cunningham, Mr. Gramuglia, Mr. Chanis, Sheriff Prozzo and Attorney Hathaway participated in a detailed presentation which lasted more than an hour. Members of the delegation were provided with several handouts and will be emailed copies of the Power Point presentation outline. Since all of the detailed information already is available to the delegation and the public in printed and electronic form, the presentation will be summarized briefly in these minutes:

For years, the Sullivan County Department of Corrections has been faced with trying to house increasing numbers of inmates in an aging, inadequate and unsafe county jail facility. One option the county commissioners have been exploring for several years is building a new jail at a cost of between 30 million and 45 million dollars. Another option is to continue using the existing jail, and possibly to make some repairs to the physical plant which would address some of the safety issues, but not the overcrowding. Now the Department of Corrections is proposing a third option, which combines repairs to the old jail with building an new 68-bed facility which will be used as a transitional housing unit and a treatment center which will house a 90 day substance abuse treatment program. The cost of the repairs and new construction will be about 7 million dollars. In addition, some new staff will be hired to operate the treatment program. The treatment and community re-entry services will be available to both male and female inmates. Because 80% to 90% of people sentenced to the county jail have substance abuse issues, and because many of them are back in jail due to violations of probation, etc. and appear to be caught up in a cycle of crime and recidivism, it seems likely that an effective treatment/rehabilitation program will reduce the number of inmates, reduce the crime rate and save the

taxpayers' money in the long run. This proposal is the product of a year of work by a committee which includes one member of the delegation, Rep. Gagnon.

The delegation's response to the corrections proposal was generally positive. Rep. Skinder pointed out that if we do not at least repair the existing facility; the county could be vulnerable to a large lawsuit because there is no sprinkler system and no way to release prisoners rapidly in the event of a fire. There were questions about how much the project will cost and how it will be financed. The corrections staff and Mr. Chanis explained that they think it will be cheaper to ask for bids on designing and building the new facility rather than hiring an architect and then putting the building project out to bid, and that, given the present low interest rates, borrowing the money rather than issuing bonds might be a less expensive way to finance the project. Several representatives wanted to know what the Department of Corrections and the commissioners needed from the delegation at this time. Mr. Cunningham said that at this point the corrections committee was asking for the delegation's reaction and for approval to continue with planning, and was not asking for a final commitment to borrow money for construction. Although some money may be spent during the planning process, the project, if approved, would not be part of the fiscal 2008-2009 budget. Rep. Franklin said that he feels the delegation could not approve such a project without much more information about the details—for example; will the new facility have a basement? Mr. Cunningham said that timing is everything and that the delegation's approval of the concept is needed so that the planning can continue. Rep. Nielsen said that the county appears to have three choices: to build a new jail at a cost of up to 40 million dollars, to encourage the corrections committee and the commissioners to continue working on the proposed project, or to do nothing. (At this point, Rep. Franklin had to leave, and Rep. Gagnon took over as acting chair.)

*After more discussion, Rep. Ferland offered a motion, seconded by Rep. Skinder:*

*That the commissioners continue with the plans for the new treatment facility and upgrades to the House of Corrections.*

*After some questions about whether or not this motion would lock the delegation into a financial commitment for the 2008 budget, and after hearing from Mr. Cunningham about several presentations to the community, all of which received favorable receptions, Rep. Houde offered a friendly amendment to the motion, seconded by Rep Skinder:*

*That the delegation supports the concept of the project and the work done on the proposal to date and encourages further outreach to the community, recognizing that no financial commitment or final decision is made by this vote.*

*A roll call vote was requested by several representatives. The motion passed with a vote of 9-0; with representatives voting as follows: YES—Cloutier, Converse, Ferland, Gagnon, Gottling, Houde, Jillette, Nielsen and Skinder. NO—none*

#### Public Participation:

Tom Connair, the attorney who represented the city of Claremont in the Claremont lawsuit regarding public school funding, had requested to participate in the meeting. Mr. Connair warned the delegation that the proposal to amend the NH Constitution, which is currently being considered by the Democratic leadership of the House and Senate, could have the effect of taking the fundamental right to an education out of the constitution. He pointed out that previous efforts to allow targeted aid (such as the Augenblick formula) did not work because the legislature simply did not appropriate sufficient funding. Mr. Connair warned that if the state is not required to fund adequacy for every town, the end result may be that it will not fund adequacy for any town, since there is always a fiscal emergency. He urged Sullivan County representatives to be skeptical of any constitutional amendment, because even if seems to promise increased funding for their districts in the short run, in the long run, local taxpayers might pay a greater share of the cost of education. Mr. Connair handed out a newspaper op-ed article explaining his ideas in more detail.

(At this point, Rep. Houde had to leave, and only eight representatives remained.)

Minutes of October 29, 2007 and December 10, 2007:

Copies of minutes for the delegation meetings of October 29, 2007 and December 10, 2007 were made available. The auditors had requested several corrections of the minutes for October 29, and after these corrections were made, *Rep. Converse moved that the amended minutes be approved and Rep. Gottling seconded the motion. The minutes of October 29, 2007 were approved by a unanimous voice vote.* Rep. Ferland and Rep. Skinder had not been present at the meeting of December 10, 2007 and were not able to participate in a vote approving those minutes. Since there was not a quorum, the minutes of December 10, 2007 could not be approved. These minutes will be reviewed at the next delegation meeting.

Old Business:

Rep. Ferland said that she would be sending out a schedule for the Executive Finance Committee meetings. Rep. Nielsen, the delegation clerk, said that several representatives had requested that she attend all EFC meetings and take minutes which would be made available to all members of the delegation. However, the EFC meetings have been scheduled for Mondays and Fridays, and Rep. Nielsen usually works on those days as a substitute teacher. After some discussion, Rep. Ferland agreed that she or another member of the EFC could take brief minutes which recorded the decisions made during the meetings and post these minutes on the county website.

In a related issue concerning the clerk's duties, Rep. Cloutier said that he and Rep. Converse has sponsored a bill which would have allowed either the chair or the clerk or their designees to give notice of a delegation meeting. (Current law requires that the clerk do this. In practice, what normally happens is that the chair asks the clerk to arrange the meeting, and the clerk communicates with staff in the commissioners' office.) The ED&A committee amended the bill to say that the clerk or the clerk's designee should give notice of a delegation meeting.

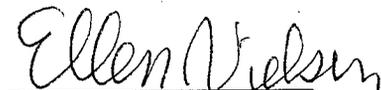
New Business:

There was no pressing new business. The next steps will be for the EFC to work with the commissioners on the fiscal 2008-2009 county budget, and to report on their decisions to the rest of the delegation.

*Rep Ferland moved that the meeting be adjourned, and her motion was seconded by Rep. Cloutier. The motion carried with a unanimous voice vote.*

The meeting was adjourned by the acting chair, Rep. Gagnon, at 11:45 am.

Respectfully submitted,

  
Ellen Nielsen, Clerk