

Sullivan County NH

Type of meeting: Board of Commissioners – Regular Public Meeting

Date/Time: Tuesday, November 14, 2006, 2006; 1:30 p.m.

Place: Newport County Complex – Remington Woodhull
County Complex, 14 Main Street Newport NH,

Attendees: Commissioners Donald S. Clarke - *Chair*, Ben C. Nelson – *Vice Chair* and Ethel Jarvis – *Clerk*; Ed Gil de Rubio – *County Manager*; Mark Pitkin – *County Treasurer* (arrived later); Sharon Johnson-Callum (minute taker)

Other attendees: Jeff Barrette – *County Commissioner Elect*; William Roach – Sunapee Town Select Board Chair; Matthew McCormick – *Eagle Times Staff Reporter*; and Aaron Aldridge – *Argus Champion Staff Reporter*.

1:30 The Chair opened the meeting. Commissioner Clarke requested Jeff Barrette to ask questions throughout the meeting of anything he needed more detail about.

AGENDA ITEM NO. 1 MEETING MINUTES

AGENDA ITEM NO. 1.A. OCT 17 PUBLIC MEETING MINUTES

1:33 A motion was made, by Commissioner Jarvis, to approve the meeting minutes [of Oct. 17, 2006 Public Meeting] with the amendments requested. Commissioner Nelson seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 1.B. OCTOBER 17, 2006 EXECUTIVE SESSION – COUNTY ATTORNEY

1:34 A motion was made, by Commissioner Jarvis, to accept the Oct 17th Executive Session meeting minutes as typed and to keep sealed until resolved. Commissioner Nelson seconded the motion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 1.C. OCTOBER 17, 2006 EXECUTIVE SESSION – UNION NEGOTIATION MATTERS

1:35 A motion was made, by Commissioner Nelson, to keep the October 17, 2006 Executive Session meeting minutes sealed until they have a contract. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 1.D. OCTOBER 20, 2006 SPECIAL MEETING – 2ND EXIT INTERVIEW

1:37 A motion was made, by Commissioner Nelson, to approve the October 20, 2006 Special Meeting minutes as typed. Commissioner Jarvis seconded the motion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 1.E. OCTOBER 20, 2006 EXECUTIVE SESSION – PERSONNEL ISSUE

Mr. Gil de Rubio recommended they approve the minutes but to keep them sealed. There was a debate on this issue. Commissioner Jarvis felt the meeting should not have been conducted in Executive Session. Commissioner Clarke indicated they would split the motion into two parts.

1:40 A motion was made, by Commissioner Nelson, to approve the October 20, 2006 Executive Session [Personnel Issue] minutes as typed. Commissioner Clarke seconded the motion. A voice vote was taken. Commissioners Clarke and Nelson were in favor. Commissioner Jarvis was not in favor. The motion carried with the majority.

1:41 A motion was made, by Commissioner Nelson, to make the minutes public. Commissioner Jarvis seconded the motion. Discussion – It was noted this pertained to campaign material posted at the nursing home illegally. A voice vote was taken. The vote carried, unanimously.

AGENDA ITEM NO. 2 NURSING HOME RENEWAL APPLICATION

It was noted this NH State form required the Chair signature to renew the nursing home license, and to update the name of the nursing home Administrator.

1:44 A motion was made, by Commissioner Nelson, to authorize the Chair to sign the renewal application for resident health care license. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 3 DOC: WEST CENTRAL PROFESSIONAL SERVICES CONTRACT

General discussion commenced on the cost and the contract.

1:47 Commissioner Nelson made a motion to renew this [Professional Service Contract between West Central Services, Inc. and Sullivan County Department of Corrections] and to ask Mr. Hagar to “beat the bushes and see what is out there”. Mr. Gil de Rubio confirmed they have done so and reminded all since Ramona Berman/LADC came on board, they use West Central Services (WCS) less, but must use WCS if a case goes beyond Berman’s expertise. There was no second to the motion. The motion failed.

1:49 A motion was made, by Commissioner Jarvis, to authorize Chair to sign the [Professional Service Contract between West Central Services, Inc. and

Sullivan County Department of Corrections] contract. Commissioner Nelson seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.

Mr. Gil de Rubio noted he would confirm cost for West Central at the end of the meeting.

AGENDA ITEM NO. 4 COUNTY MANAGERS REPORT

AGENDA ITEM NO. 4.A. LABOR UNION NEGOTIATION UPDATE

Mr. Gil de Rubio confirmed they have several meetings coming up and has no new information yet. They are working diligently with the Union regarding health care issue and services. He noted he recently read a report in a municipal magazine that the VT League of City and Towns is through BC/BS and are looking to go into health savings plans and increase deductibles – illustrating this is not just a regional issue, but national. He discussed the recent press on WalMart offering prescription drugs at reduced rates, which should help the supply and demand. He noted in NACo's news later it was noticed that CVS joined with CareMarx with the prescription discount drug plan, which should lead to lower prices.

1:51 Mark Pitkin, County Treasurer arrived.

AGENDA ITEM NO. 4.B. ASSISTED LIVING UPDATE

Mr. Gil de Rubio confirmed he has a draft of articles from 501.c.3. and anticipates bringing before the Board in the near future. Commissioner Nelson indicated, *“in light of elections, we need to put assisted living on back burner with Jarvis platform to go back to the nursing home run by county only, we have DOC needs assessment, we don't need to put assisted living on way back burner, Barrette will have a huge learning curve”*. Mr. Gil de Rubio noted whatever policy the Board wants he'd follow. He noted they were on the *“threshold of a new budget year, if rethinking position of policy change, now is time to discuss it”*. Commissioner Clarke, *“I understand Nelson, where he's coming from, but feel uncomfortable about making a decision today ... need to think about it, and can discuss it at next meeting.”*

AGENDA ITEM NO. 4.D. ADDITIONAL BORROWING OF 1 MILLION IN ANTICIPATION OF TAXES

County Treasurer, Mark Pitkin, discussed the previous request to borrow up to 5 million. He reviewed current cash flow, feels they will need to borrow more than the 5 million prior to the receipt of taxes from towns. Recommends the Board approve borrowing up to 1 million. Noted it does not mean the County will borrow the full amount, but due to payroll, ET Buy Back option coming up with December payroll, may need to borrow quickly. Revenues discussed. It was noted the NH State RSA's mandate the County Treasurer must appear before the Board of Commissioners with this request, then follow up with the Executive Finance Committee. Mr. Pitkin noted he normally goes out to bid on large offerings, but his presumption would be that Sugar Savings Bank may be able to match the rate, or be slightly higher, short period of time, but we need to go somewhere we can get money quickly. It was noted the taxes are due December 17th. It was noted,

the only way to avoid borrowing is to bond it, budget 18 months 1 year, or shut down the services for 6 months. Mr. Pitkin confirmed the borrowing was a "line of credit", if not used, there no cost to the County taxpayer.

2:07 A motion was entertained by Commissioner Clarke as follows:

Ordered: That, the money in the Treasury of the County, being insufficient to meet the demands upon the same, the Treasurer is hereby authorized, pursuant to RSA 29:8 to borrow from 1 Million, which is necessary for the purpose and to give notes of the County therefore, payable December 27, 2007. We hereby certify that the foregoing is a true copy of the order of the Commissioners of Sullivan County passed at a meeting held November 14, 2006 of which all Commissioners were duly notified and at which a quorum was present. Commissioner Jarvis approved the motion. Commissioner Nelson seconded the motion. A voice vote was taken. The motion carried, unanimously.

2:10 Mr. Pitkin and Aaron Aldridge left the meeting.

Mr. Barrett asked if any NH counties were on a "counting forward" year. Commissioner Clarke indicated, "not that I know of". It was noted, towns send out their tax bills twice a year, whereas County's just once.

Mr. Gil de Rubio distributed a copy of his monthly calendar to the Board.

AGENDA ITEM NO. 5 COMMISSIONERS REPORT

Commissioner Clarke noted he attended a meeting with Mr. Gil de Rubio with the NHAC about what the County wanted to do while going forward. The suit against state is going well. Mr. Gil de Rubio recommended they go into Executive Session in order to update Mr. Barrette on the latter issue.

Mr. Gil de Rubio, per request from Commissioner Jarvis, provided an update of the Nov. 1st meeting with DHHS Commissioner Stephen about the pandemic preparedness. Mr. Gil de Rubio noted they met with representation from all counties, it was noted the State set up 19 regional committees to participate in an all hazards plan, and in addition, Stephen would like all counties to step forward as a go between so that when issues do hit, they can deal with them at the County level. They discovered Sullivan is the only county facilitating an *All Hazards Plan*. Commissioner Council and JD Colcord will be in communications with Commissioner Stephen to have NHAC coordinate what Commissioner Stephen would like from all the counties. The DHHS Commissioner strongly encourages all counties to step forward implementing plans and coordinating the services.

2:11 Sheriff Prozzo entered the room.

NON AGENDA ITEM – AED EQUIPMENT

Sheriff Prozzo noted they held an AED training a couple weeks ago. Those that participated in the training were employees from the Sheriff's Office, Registry of Deeds, County Attorney's Office and the Commissioners' Office. Sheriff's goal was to place one on each floor; however, there are no more grants available for additional machines as he anticipated. They are able to purchase more for a discounted price of \$709. There is one already at the Bailiff's station, in the building. Sheriff will approach NH State Probate Court for funding of one on 3rd floor.

NON AGENDA ITEM – NEW \$10,000 GRANT

Sheriff noted on March 2006 they approached the Dept. of Army for electronic proving grounds, for a repeater system, a wire for investigations - had one for 12 years, received award of \$10,000 includes sending personnel to St Louis - the hotel, air fare and training. Sheriff needs official approval from the Board to accept the grant. The Sheriff, per request, provided an update as to where grant funded equipment was being held: radar trailer is kept at the Sunapee Police Department, the night scopes and wires kept in Newport, the Command Trailer in Claremont, SOU at the Claremont Police Department, the 4 wheeler will be housed at the Unity Complex. Commissioner Jarvis noted the Sheriff's Office does not have a lot of room and wondered if the County continued forth with the DOC needs assessment, and if they built a new facility, would the Sheriff consider space at the new building? Sheriff Prozzo and Mr. Gil de Rubio concurred it would be a good idea. Commissioner Clarke inquired about the voucher for a repeater on Green Mountain. Sheriff Prozzo confirmed they upgraded the radios years ago with state funds, the 3rd one is on Glidden Hill, they have one on Lempster Mountain and one on Green Mountain. Commissioner Nelson commended the Sheriff for attaining the grants and noted he'd seen the 4-wheeler out and about. He also commended him for his collaboration with other law enforcement agencies in the area. Sheriff Prozzo spoke briefly of a "readiness drill" he conducted Tuesday in Unity with only four others that were informed it would occur. He noted, on a scale from 1-10, he rated the results 8 ½ to 9 for response of their personnel and was very pleased. They found a couple glitches with communications to improve upon. Sheriff Prozzo received a letter from the Goshen/Lempster School requesting the Sheriff's Office to work with them performing drills.

2:28 A motion was made, by Commissioner Jarvis, to accept the grant from the Department of Army, for the surveillance equipment. Commissioner Nelson seconded the motion. There was not further discussion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 5 COMMISSIONERS REPORT

Commissioner Nelson attended the Commissioners Council Friday the 3rd and JD Colcord asked for Counties to take lead in the avian flu, Commissioner John Stephen would rather work with 10 counties than 19 regions in place. Received an update on the declaratory rule and they ruled in the counties favor. There is indication Commissioner

Stephen will appeal but nothing set in stone. Commissioner Council will need reorganization as president elect no longer with us.

Commissioner Clarke noted the next Executive Committee would be 12/1/06. Commissioner Clarke indicated there was a meeting called by Steve Taylor, Commissioner of Agriculture, regarding the sewage pipe that crosses the McLaughlin farm. He noted during the floods, significant damage was reported in three different areas of the pipeline. One area "Fletcher's Corner" - it broke through a dike and gouged out the topsoil. The second area is part of the City of Claremont - a four-acre parcel where they placed a gravel packed well and same area where the County home sewer pipe goes out - 100 feet washed out in a certain area - Claremont City applied for grant for repair. The third area across from Manadnock Park towards radio tower is another area breached - Soil Conservation will help to repair that portion. He noted the first area is very expensive. He noted those that attended the meeting included himself, Senator Sunnu's, Gregg's and Bass's offices, LCHIP, Dept of Environmental Services, as well as Greg Chanis - Sullivan County Facilities & Operations Director. He is unsure of the outcome at this point and requested all to stay tuned. For Mr. Barrette's sake, Commissioner Clarke provided a verbal history of septic pipe line work, discussing the collaboration between Claremont and the County, which provides revenue for Claremont and eliminates the high cost of dealing with the septic from the Sullivan County Health Care facility.

2:35 Sheriff Prozzo returned to the room.

NON AGENDA ITEM - MEDICAL TRAILER

Sheriff Prozzo noted he just received word the medical trailer would be delivered 12/25/06 to the nursing home.

2:40 Sheriff Prozzo and Aaron Aldrich left room.

AGENDA ITEM NO. 6 PUBLIC PARTICIPATION

Representative Larry Converse asked what kind of danger the septic line was in? Commissioner Clarke noted it would take 2-3 more floods to put it in further danger, that it was not in imminent danger, at some point it will recede to where the pipe is exposed. Clarke discussed further history of the project, and fixes, which have held.

Representative Converse asked if the County was being pressured by the State to upgrade the DOC? Mr. Gil de Rubio confirmed no. Mr. Converse then asked why would we want to make a better life for inmates [with a new facility], compared to [continuing with the] assisted care [project]. He continued, saying "if anything goes on the back burner it's DOC". Mr. Gil de Rubio indicated the County was fortunate to have the DOC staff and Superintendent they have. He continued, pointing out that the current facility was designed for 45 inmates and has housed up to and over 100. He noted there have been recent attempts to break out, that they are unable to classify individuals, that they house inmates with mental health issues, substance abuse issues, and are currently in the middle

of the Sullivan County Criminal Justice System needs assessment and the jail assessment. He noted, the county has a critical situation with the criminal justice system and i.e. jail. Commissioner Clarke noted there were life and safety issues for both inmates and employees. Commissioner Nelson noted he had thought once like Rep. Converse, "*it cost \$20,000 per inmate per year, a lot are on the revolving door plan, not a place to rehabilitate anyone*". Mr. Gil de Rubio added they can't classify pretrial inmates and house real "bad guys" with 1st time offenders. Commissioner Nelson noted he'd seen an 18 year old youth who made a bomb threat housed with other adults. It was noted the Department of Corrections was part of the State's County mandate. Mr. Gil de Rubio discussed the future meetings with County Attorney, himself and Department of Corrections on where the County is going. He noted they are fortunate to have their own medical and LADC staff, they have SCIP (Sullivan County Intervention Program), THU and electronic monitoring. Commissioner Nelson spoke briefly about coming to a consensus on long term plans with the Delegation on the Nursing Home.

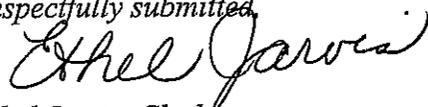
William Roach, from Sunapee, expressed his opinion on law enforcement in the State of NH, discussing judges appointed by State and the Sheriff's Office beholden to Court system. He feels the State should be paying for the Sheriff's Dept. He noted inmates are put in the House of Correction due to State law violations, and should therefore, should be paid by State, not County. He questioned why Delegates don't "*go to bat and make the State pick up the obligations*". Commissioner Clarke recommended he attend the Delegation meetings to address those issues. Mr. Gil de Rubio spoke briefly of the committee Senator Peter Burling created to look at State and County obligations. He noted the County jails process approximately 2,000 a month – our type of system is more advanced. Commissioner Clarke noted the County jails normally hold pretrial and those receiving less than on year sentencing. Commissioner Clarke spoke briefly of removing the \$4.35 Million Human Services state mandate - we collect the taxes for them and ½ of the budget is human services costs.

3:05 A motion was made, by Commissioner Nelson, to go in to Executive Session. Commissioner Clarke seconded it. It was noted those in Executive Session would be the Board, Jeff Barrett, the County Manager and the minute taker. A roll call vote was taken. The motion carried, unanimously.

3:26 A motion was made, by Commissioner Nelson, to move out of Executive Session. Commissioner Jarvis seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.

3:26 The meeting was adjourned.

Respectfully submitted,



*Ethel Jarvis, Clerk
Board of Commissioners*

EJ/s.j-c.