

MINUTES
Cheshire County Commissioners Meeting
Wednesday February 17, 2016 09:30AM
Maplewood Nursing Home
201 River Road
Westmoreland, NH 03467

PRESENT: Commissioners Stillman Rogers, Charles Weed, and Peter Graves,

STAFF: County Administrator Coates, Finance Director Trombly, HR Director Hurley, Superintendent Van Wickler, and Assistant County Administrator (ACA) Bouchard

GUESTS: Westmoreland Selectman Hammond, Former Board of Commissioners Chairman, Jack Pratt, Conservation District, Bill Fosher and Amanda Littleton, Marshall Patmos, and members of the public.

Chairman Rogers opened the meeting at 09:30AM and County Administrator Coates was recognized and presented the following items to the Commissioners:

Coates reminded the Commissioners that the Right-To-Know training for elected officials and staff for yesterday evening was cancelled due to a family emergency in the presenter's family. A new session will be scheduled and noticed in the near future.

He then said that Ron White who is the new Executive Director of the New Hampshire Association of Counties (NHAC) will be attending a Commissioners meeting in the near future. His intention is to attend Commissioners meetings in all ten (10) Counties to introduce himself and to discuss the relationship between the Counties and the NHAC.

Coates said that an email to the NH Retirement system concerning Group I and Group II questions has been sent and he awaiting a reply to the questions that were raised during the last conference call.

Coates then asked Commissioner Weed to provide a recap of the NHAC Executive Committee meeting that he attended last week. Commissioner Weed reported the following;

“There was a problem of too few executive council members for a quorum. The 20th person that constituted a quorum arrived at the meeting at 11:00am. The President of association pointed out that "proxies" are permitted (except for "membership" meetings) and asked that each county develop a policy for sending proxies. Commissioner Weed said that he mentioned it will be helpful for the request to come from NHAC along with a couple of proposed “models" in order to have some consistency.

One of the County Department of Corrections Superintendent's said that he was informed that there are big changes coming in the NH retirement system and that there will be an important meeting of Superintendents on 3/19 and that the Corrections affiliate will be reviewing bylaws to recommend changes in their 3/18 meeting.

There was a long discussion of the Chief Justice's Drug Court letter and it the position of the President of the NHAC that any programs developed by the counties must allow maximum flexibility to satisfy each county's unique needs and culture. One County Administrator felt that there is now focused pressure on counties to set up programs like the existing programs in Grafton, Strafford, and Cheshire counties. The President iterated that here were 2 models of Drug Courts, judicial control or executive control and that "executive control" seemed the most effective. Discussion then focused on the proposed 50% financial responsibility of counties would only grow and that executive financial responsibility by the state was the only way to avoid greater and greater cost shifting.

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A discussion of the alternate approach to Drug Courts taken by Sullivan County of not using a drug court but supporting five (5) Licensed Drug and Alcohol Abuse Councilors (LADACs) was covered”.

Commissioner Weed then related some other administrative business that was concluded during the meeting.

Master Agenda Item #349: J. Pratt – Correctional Officer (C. O.) Certification Discussion
J. Pratt discussed the Board of Commissioners previous deliberations and spoke of the prior certification issue with a former C. O. who was a previously convicted felon as being the root of the problems between the County and the certification board of the New Hampshire Association of County’s (NHAC) who is the current certification authority. Pratt discussed the NHAC superintendent affiliate’s move to change the by-laws for certification and process that the Cheshire County C. O. had gone through seeking a pardon from the states of NH and Massachusetts. He said that NH denied the pardon by a vote of 3-2 and Massachusetts approved the pardon. He discussed the previous board of commissioners investigation into leaving the NHAC affiliate and the investigation into the impact that leaving would have on the staff if they left the Group II retirement plan and moved to Group I. He said that many of the C. O.’s at the jail do not stay long enough to vest in any retirement plan and that over time the average staff member is better off financially being in Group I as they contribute to Social Security unlike the Group II members. The impact is that if they leave employment of the jail before vesting occurs they have the contributory time in their Security Social retirement account as a Group I member.

Superintendent VanWickler provided a recap of the situation of the last three years of discussions and investigation into alternatives for the certification process. Commissioner Rogers reviewed the discussions with the NH Retirement staff and said that if the County were to move to hiring all new employees as Group I members it would not imperil the staff already in the Group II plan.

Further discussion ensued about the hours of training and Administrator Coates then recommended that moving forward with the creation of a certification process controlled by the County Board of Commissioners seemed to be the right choice for the County and its employees.

Commissioner Weed then moved to accept the policy statement that was drafted outlining below as the training and certification policy of the County for Correctional Officers in Cheshire County. Commissioner Graves seconded the motion and upon vote the motion passed unanimously.

County of Cheshire Commissioners

Training policy: Department of Corrections, 825 Marlboro Road, Keene, NH

Statement of Purpose:

Pursuant to RSA 30-B:1 the Cheshire County Commissioners have established a House of Corrections for the County of Cheshire. Pursuant to RSA 30-B and the authority granted to County Commissioners

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pursuant to RSA 28:12 the Cheshire County Commissioners have the responsibility of ensuring the safety and well-being of persons committed to its custody at the Cheshire County House of Corrections.

In furtherance of their responsibilities under these statutes, the Board of County Commissioners for Cheshire County hereby adopt the following policy for the training and Certification of officers for the Cheshire County Department of Corrections:

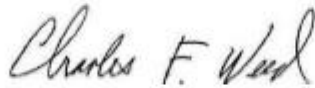
- I. The Superintendent of the Cheshire County House of Corrections shall from time to time establish policies and standards relating to the training and Certification of Correctional Officers. The Superintendent shall submit those policies and standards to the Cheshire County Board of Commissioners for approval. Any subsequent substantial changes to those policies shall be submitted to the Board of Commissioners for approval before implementation.
- II. It is the policy of the Cheshire County Commissioners that the Cheshire County Commissioners are the ultimate authority for the operation of the House of Corrections and for the employment, training and discipline of its officers. The training program of the Cheshire County House of Corrections shall be consistent with the course of training approved by the police standards and training council for County corrections officers, except as otherwise approved by the Cheshire County Commissioners.
- III. The training of Corrections Officers for this county shall take place within the regular working schedule of trainee officers as directed by the Superintendent, unless otherwise directed by him. This in-house training shall be substantially comparable to that of the County Corrections Officers Training Program approved by the Police Standards and Training Council. The in-house program shall consist of classroom training, observed and graded on-the-job training and performance and written testing as directed by the Superintendent.
- IV. Recertification of officers qualified for NH Retirement System status as Group II who remain members of Group II as of the date of this policy statement shall continue to be through the certification Board operated by the New Hampshire Association of Counties (NHAC). Recertification of officers qualified for NH Retirement System status as Group I shall be accomplished by the Cheshire County Commissioners.
- V. It is the policy of the Cheshire County Commissioners that the training program of this county be periodically reviewed to ensure that the training being provided to new and longer term Corrections Officers meets contemporary standards. The Board of Commissioners will review the training and certification process annually during their required inspection of the institution (RSA 30-B:12). To ensure that current standards for the care and treatment of inmates are being observed, the National Institute for Corrections (NIC), or a similarly recognized authority on corrections standards shall be requested to review the training policies of this county not less than once every five years.

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- VI. The record of each Correctional Officer successfully completing the training program shall be forwarded to the Board of Commissioners for certification. The record submitted to the Board shall consist of the applicant's grades and instructor evaluations. If the applicant is approved the Board will issue a certification of the applicants suitability for employment as a Corrections Officer. It is the intent of this provision that candidates be certified as soon as practicable upon completion of initial training, regardless of whether further certification is to be sought. The Superintendent is also authorized to forward a copy of the applicant's record to the NHAC Certification Board for certification by that body.

Cheshire County Commissioners;

Dated: February 17, 2016



Stillman D. Rogers, Chairman Charles Weed, Vice Chairman Peter Graves, Clerk

The Commissioners then discussed that no employee that is currently under the Group II retirement system would be required to change to Group I. If a current employee feels that is in their best interest to remain in the Group II retirement plan they may do so.

The Commissioners then discussed that because of the on-going issues that have been lingering for over three years with the NHAC Department of Corrections affiliate and the extraordinary efforts put forth trying to resolve the certification issues with the NHAC, it was agreed that this policy is not only needed but required to be implemented.

Master Agenda Item #350: Bill Foshier - Conservation District was then taken-up for discussion. Foshier said that he was at the meeting to offer the involvement and assistance of the County Conservation District where appropriate, in the upcoming leasing process of the farm property. He discussed the Delegation Farm Sub-Committee meeting that he recently attended at which Bouchard presented a list of proposed changes among which was the inclusion of the Conservation District and the UNH Cooperative Extension to help the County oversee the implementation of best practices at the farm. A discussion of how the Coop and Conservation District could work with the County was covered and it was agreed that both organizations would be consultants or advisors to the County.

A question concerning the recent submission of a request to create separate tax cards for the parcels on the County property in Westmoreland arose and Bouchard said that the request arose out of the work to create a five (5) acre parcel for the sale of the Blood Farm on River Road as it was discovered that the County did not have accurate (read any) boundary descriptions of the land. An extensive investigation

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of the history of the parcels and how they were acquired was completed and an accurate mapping of the boundary lines was completed over the last year. Bouchard said that having the information was important for the County but equally important for the many abutters to the County land holdings. He also said that it was not the intent of the County to create these separate parcels in order to begin selling off any of the County lands other than the one five (5) acre parcel for the sale of the Blood farm that authorized by the County Delegation in December of 2013. He said that based on the completion of the survey and deeds work the application for sub-division of the Blood farm parcel was finally ready to proceed this spring.

In answer to a question, Commissioner Rogers reiterated that it was not the intent of the Commissioners to recommend selling any more parcels of land with the possible exception of the Maplewood Nursing home site that is still under discussion by the Delegation Maplewood Sub-Committee as they deliberate on the future of Maplewood. He did not believe that any other parcels would be sold and briefly discussed that a conservation easement for all of the remaining land might be a possible option to be explored.

Master Agenda Item #351: Conservation Semi-Annual report was then taken-up. The County Conservation Manager, Amanda Littleton discussed the grants outstanding for 2016 that currently stand at approximately \$500,000.00. She said this year was the 75th year of operation for the Conservation District and that a strategic planning session was being scheduled to determine what the next 10 to 20 years should look like. Littleton answered a number of questions on the districts farm development programs and discussed the farm to market program that has seen strong growth over the last few years. She said that in the first year (2013) \$5,000 of sales had occurred. In the second year (2014) \$62,000, and in 2015 just over \$101,000. She said that the goal for 2016 is \$150,000.

Commissioner Graves then related his attendance at the last UNH Cooperative Extension meeting that was recently held at County Hall.

The Weekly Census was reviewed.

The Weekly Manifest was then reviewed and Commissioner Graves moved to accept the Manifest as presented and was seconded by Commissioner Weed. Upon vote the motion passed unanimously.

The minutes of February 10, 2016 were then reviewed and Commissioner Graves moved to accept the minutes as amended. Commissioner Weed seconded the motion and upon vote the motion passed unanimously.

The Commissioners Calendar was then reviewed.

At 11:07AM Pursuant to RSA 91-A (II) (a), (b) and (c), Commissioner Weed moved to go into non-public session to discuss the hiring of any person as a public employee and was seconded by Commissioner Graves. Upon vote the motion passed unanimously.

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As a result of the deliberations in nonpublic session Commissioner Weed moved to hire R. C. as a Department of Corrections Correctional Officer at a rate of \$18.95 based on their experience, training, and education. Commissioner Graves seconded the motion and upon vote the motion passed unanimously.

As a result of the further deliberations in nonpublic session Commissioner Graves moved to hire A. R. as a RN Supervisor at Maplewood Nursing home at a rate of \$27.85 based on their over 18 years of experience, training, and education. Commissioner Weed seconded the motion and upon vote the motion passed unanimously

At 11:15AM the Commissioners voted unanimously to return to public session.

At 11:17AM there being no further business to discuss, Commissioner Graves moved to adjourn the meeting. The motion seconded by Commissioner Weed and upon vote the motion passed with unanimously.

Respectfully Submitted,

P. Graves, Clerk