

MINUTES
Cheshire County Commissioners Meeting
Wednesday, June 15, 2022
County Hall Building
12 Court Street, Keene, NH 03341

Conference Call Information
Phone Call-in Number: +1 646 558 8656
Meeting ID: 409 748 8803
Pin #: 6031233

Present: Commissioners Jack Wozmak, Robert Englund, and Terry Clark
Staff: County Administrator Coates, Finance Director Trombly, Grants Manager Bansley, Communications Director Crowell, HR Director May, and Assistant County Administrator Bouchard.
Guest(s):

At 8:30 AM, Commissioner Englund opened the meeting, and Administrator Coates took a roll call of the Commissioners, and Commissioners Englund and Clark responded as present with Commissioner Wozmak in transit.

At 08:37 AM, Commissioner Wozmak joined the meeting.

I. Public Comments

Upon recognition from the Chair, a Public Comment on topics of interest may be made, not to exceed three (3) minutes in length. – **No public comments were received.**

II. Elected Officials & Department Head Updates

To receive, as informational, departmental updates requiring Commissioner review, participation, approval, and impactful departmental and operational issues.

Sheriff Rivera was recognized and spoke about submitting a grant for the radio upgrade project and the matching grant for the body-worn cameras. He also said that thus far, there had been candidates interested in the Radio Engineering Technician position.

Bansley then spoke about submitting the process of submitting the grant documentation for the bodyworn cameras. She said that because the County submitted the Sheriff's grant early in the process, we have been told that the lead time for receipt of the equipment will be fairly short. Bansley then asked the Commissioner to approve the receipt of funds in anticipation of the grant monies being distributed.

Following a short discussion, Commissioner Englund moved to accept receiving the funds for the bodyworn cameras, and Commissioner Clark seconded the motion. Upon roll call vote, the motion passed unanimously.

Superintendent Iosue was then recognized and asked when the Commissioners would join the Department of Corrections graduation ceremony on June 29th. It was agreed that 11:00 AM should work to have the Commissioners join the meeting.

HR Director May was recognized and requested a non-FMLA leave of absence for an employee at the Nursing Home. **Commissioner Englund moved to approve the non-FMLA leave for the**

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employee, and Commissioner Clark seconded the motion. Upon roll call vote, the motion passed unanimously.

Director Trombly then presented a request for an additional payment of \$5,000.00 for the Auditing firm based on a request from the firm that the actual cost to the firm is \$36K over the projected cost. A great deal of the overrun was due to the myriad of rules and regulations that kept changing due to the many changes from the various rule changes from the federal agencies. It was requested that a representative from the auditors present their request for additional payment, and a meeting will be scheduled next week to review.

Scheduled Items

Master Agenda Item #992: Master Agenda Item: US DOJ COPS Technology and Equipment Program grant application was then taken up for review and discussion, and Bansley made the following request: **To vote to approve County Grants Manager Suzanne Bansley as Authorized Representative to submit an application for the 2022 COPS Technology and Equipment Program (TEP) for \$750,000 and to receive and spend the funding on behalf of the County; as well as to sign application documents and attachments that bind the applicant. Senator Shaheen approved this funding in 2021 through a Congressionally Directly Spending request. These funds will support the Advanced Radio Law Enforcement Network Equipment System project.**

She said that the following language is required to be accepted as part of the receipt of the grant:

To vote that Commissioner Chair John “Jack” G. Wozmak, J.D. or County Administrator Christopher C. Coates are hereby authorized on behalf of the County of Cheshire to enter into the Grant Agreement with the NH Department of Safety and to execute any and all documents, agreements and other instruments, and any amendments, revisions, or modifications thereto, as he/she may deem necessary, desirable, or appropriate to affect the purpose of this vote.

To vote that County Sheriff Eliezer Rivera and/or County Administrator Christopher C. Coates are hereby authorized on behalf of the County of Cheshire to enter into any subcontracts or subrecipient agreements necessary to carry out the goals, objectives, and activities of the agreement.

To vote that Grants Manager Suzanne Bansley is hereby appointed as the authorized certifying official and primary contact and liaison with regards to the above-referenced agreement and is hereby authorized on behalf of the County of Cheshire to certify or sign vouchers or requisitions for payments or claims to the agreement.

Bansley spoke about the process of applying for this grant and offered to answer any questions. **Following discussions, Commissioner Wozmak moved to accept the request presented, and**

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Commissioner Clark seconded the motion. Upon roll call vote, the motion passed unanimously. Commissioner Wozmak, Chair of the Board, then signed the resolution for submission.

Bansley the presented Master Agenda Item #993: Cost Allocation Plan and Indirect Cost Rate Policy
 Bansley asked the Commissioners to approve and execute a Cost Allocation Plan and corresponding Indirect Cost Rate Policy for the County to meet the requirement of the Uniformed Grant Guidance.

Following a short discussion, Commissioner Clark moved to accept the request as presented, and Commissioner Englund seconded the motion. Upon roll call vote, the motion passed unanimously.

Heneghan was recognized and spoke to Master Agenda Item #994: Semi-Annual Report on the Restorative Justice program.

Heneghan then presented the following written document. He said that thirty-two victims were harmed, and 14 individuals were perpetrators. He said that 50% of the victims chose not to participate in the restorative process. He said that 50% of the cases undertaken were felony cases which many other programs do not address. This includes several Domestic Violence cases, credit fraud, conduct after an accident, and other serious incidents.

Referrals	<ul style="list-style-type: none"> • 12 since January 2021
Categories	<ul style="list-style-type: none"> • 50% Misdemeanor level; 50% Felony level • Domestic Violence (5) • Theft/Credit Card Fraud (3) • Criminal Mischief (2) • Conduct after Accident (1) • Breach of the Peace (1)
Criminal Legal Stage	<ul style="list-style-type: none"> • 5 in Pre-Trial (50% accepted RJ option) • 3 in Plea & Sentencing (66% accepted RJ option) • 2 in Post-Sentencing (100% rejected RJ option) • 2 in Complaint (100% accepted RJ option)
Outcomes	<ul style="list-style-type: none"> • 50% of people who were harmed (“victims”) agreed to participate in RJ. • Average time in RJ process: 3.5 months. • Restorative outcomes: <ul style="list-style-type: none"> Restitution (33%) Apology (100%)

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	“Doing sorry” (100%)
<i>Community Engagement</i>	<ul style="list-style-type: none"> • Keene State College Internship & Experiential Research Project • Keene High School – Restorative Culture & Practices • HCS Healthy Starts – Restorative Parenting Practices • CC House of Corrections – Restorative Circle Dialogues • CC Behavioral Health Court – Restorative Circle Dialogues • Prosecutors & Public Defenders – Restorative Circle Dialogue • Sexual Assault Response Team (SART) – Restorative Possibilities
<i>Community Outreach & Presentations</i>	<ul style="list-style-type: none"> • SAU 29 Public Forum (April 2022) • Leadership Monadnock Forum (January 2022) • Elm City Rotary Club (November 2021)
<i>Recommendations & Feedback</i>	

Heneghan spoke to specific cases that have been dealt with and settled. The average time from beginning to end is about 3.5 months, partly due to the small size of the Restorative Justice volunteer staff.

He then spoke at some length concerning a specific incident where there was already a capped plea imposed in a case that involved conduct after an accident. A series of meetings began with the victim and perpetrator, lasting over a year. As a result of a culminating meeting, it was agreed the capped plea could be reduced from a year in jail and the loss of a license for a year. The resulting sentence was downgraded to three Saturdays in jail with no license loss and 100 hours of community service. The Judge for the case also agreed to reduce the charge from a felony to a misdemeanor if all conditions were met over the next twelve months. These terms were a direct result of the request of the victim following the completion of the Restorative Justice process.

He then spoke about the potential engagement with Keene State College and Keene High School concerning the possible implementation of a Restorative Justice process in the schools.

He then addressed the near-term future of continuing to build the program and outlined several initiatives underway or being considered.

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Commissioner Wozmak addressed several concerns that the Restorative Justice program is housed within the County Attorney's offices instead of an independent organizational structure. The goal is to make it less intimidating and more approachable for victims than it is dealing with a prosecutor's office. An extended discussion of improving the program structure and offerings and making the entire process easier was covered in detail.

The Commissioners thanked Heneghan for his presentation and good work establishing the program.

III. County Administrator

Weekly Operations Report - The County Administrator will update the Commissioners on activities that have taken place since the previous meeting.

Coates said the second funding tranche from the American Rescue Plan Act (ARPA) of \$7.4M had been received, as well as the funding from the Nursing Home ProShare payment of \$4.9M.

Following a short discussion, it was agreed to hold a special Commissioners meeting next Friday to discuss several financial issues at 9:00 AM.

He then said that there was a recognition that some of the available State funding for nursing homes, and he has set up a meeting with the Deputy Director of the Governor's Office for Emergency Relief and Recovery (GOFERR) to discuss funding for the County's new Emergency Medical Services (EMS), and the County Nursing Home through the use of American Recovery Plan Act (ARPA) and/or infrastructure funding.

He then said that the County had received notice that the federal DOJ is visiting Courthouses throughout the county to check on the accessibility of the facilities and to ensure that ADA standards are being met. He said he doesn't anticipate any issues because the new Courthouse at 33 Winter was built to those standards ten years ago.

Coates then said that during the current energy upgrades, it was discovered that two of the significant drain pipes in the basement needed to be immediately replaced. He noted that it was done on a priority basis for just over \$11K. He stated that he would typically have presented the issue to the Commissioners first as it was over the \$5K threshold, but there was some urgency to complete the work as soon as possible. The Commissioners said they understood and were okay with the decision to move forward with the repair given the circumstances.

Coates said the IRS travel rate has been changed for the next six months and is now 62.5 cents per mile for reimbursement instead of the 58.5 to date. No significant financial impact is anticipated as overall travel, and mileage reimbursements have been down for the past two years.

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Coates said the annual NH Association of Counties conference is from October 2nd to the 5th in Portsmouth. He asked the Commissioners if they would be attending and would make the reservations for those who wished to participate.

He then stated that a second opiate payment of \$31,230.21 is being sent to the County as part of the settlement process for the national suit that the County joined. The funds will be used to pay for programs for addiction treatments.

IV. Old Business

Bouchard presented the revised Policy and Procedures document for the Joint Loss Committee that was given to the Commissioner in May for final approval. As Chair of the Board, Commissioner Wozmak then signed the document.

V. New Business: None

VI. Consent Agenda Items:

Vote to accept the Weekly Manifests and Minutes of June 08, 2022. **Commissioner Englund moved to accept the manifests and minutes, and Commissioner Clark seconded the motion. Upon roll call vote, the motion passed unanimously.**

VII. Calendar

Action Expected: To accept the calendar as informational and to make necessary changes/additions.

VIII. General Discussion for Commissioners

Master Agenda Item #673: Commissioners - State Cost Shifting Letter and Restorative Justice Program.

IX. Nonpublic Sessions: None

X. Adjournment

Recorded and edited by:
R. Bouchard
Assistant County Administrator

Reviewed and submitted by:
Terry Clark
Clerk, Board of Commissioners