

MINUTES
Cheshire County Delegation
Executive Committee Meeting
2005 Budget Review
Monday, January 3, 2005 9:00 AM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Allen; Butynski, Dexter; Eaton; Emerson; Hogancamp; Hunt; Mitchell; Pratt; Richardson; Robertson; Sinclair; Tilton; Commissioners Zerba, and Moore; County Administrator Wozmak; Sheryl Trombly Finance Director; Terry Warren Ex. Asst. to Commissioners.

Chairman Robertson called the meeting to order at 9 AM. He asked Commissioner Zerba to present the budget. Commissioner Zerba gave an overview of the budget. He reviewed some of the personnel changes in the 2005 budget. He explained to the committee that there is a 2.7% COLA increase for county employees for the Executive Committee to consider in making their recommendations for the 2005 budget. He reviewed the payroll classification study that went into effect in 2004 for county employees.

Delegation Rep. Pratt asked when was the last time the meeting allowance for the delegation was increased. Director Trombly stated that she believes the rate is set by statute.

Commissioners – Rep. Tilton asked why there was such an increase in the County Administrator salary. Director Trombly stated that there has been redistribution of responsibility of the County Administrator with department heads reporting to the county administrator rather than the Commissioners. Commissioner Zerba also spoke to the increase in responsibility for the County Administrator as well as the fact that the Pay and Classification Study places the County Administrator pay at the budgeted amount, which discussion was held and approved by the Executive Committee and the Delegation in 2004 when the Pay and Classification Study was accepted and implemented.

Rep. Pratt asked that the health insurance costs for each department be given to him since the health insurance costs for all departments have been consolidated into one line item. Director Trombly stated that she could make that information available as they review each department.

Rep. Pratt asked about the increase in the retirement costs. Director Trombly stated that there was an increase in assessment in order to offset the drop in the yields the state retirement system received on invested funds.

Rep. Hunt asked about the intern line and what the intern would be working on. Administrator Wozmak stated that the first intern we had in the Commissioner's office worked on a solid waste management project. He stated that additional work might be to work with towns about solid waste. There was further discussion on the intern position. Rep. Hunt stated that he felt the line should be zeroed out and when the Commissioners wish to hire an intern, they come before the committee. Rep. Sinclair stated that she feels the position being a paid position allows students to spent their time working in the area of their studies rather than having to work on unrelated jobs while they are also interning. Rep. Eaton felt that the committee is working backwards and they do not need to oversee every line item. Rep. Butynski asked how many interns are working for the county, the administrator stated that there are about two or three.

Rep. Pratt asked if there is a process in which the commissioners review the county administrator position. Commissioner Zerba stated that when the Administrator's evaluation is done, he interviews employees and department managers who work with the County Administrator. This evaluation is reviewed with the administrator.

Rep. Emerson asked if the County Administrator's salary was increased by \$16,000 due to increased responsibilities at the nursing home, the salary was reduced. Commissioner Zerba stated that the Pay and Classification Study and additional responsibility justified keeping the salary increase.

Rep. Pratt asked if the Commissioners have considered hiring an outside consultant to evaluate the County Administrator. Commissioner Zerba stated that they do not feel it is necessary. Rep. Dexter asked if the Pay and Classification Study included comparison with just private or also with public employers. Administrator Wozmak said that the employers used as comparisons are listed in the study. Rep. Dexter asked if the merit pay review has changed. Administrator Wozmak said it goes in to effect this year.

Commissioners Moore and Zerba addressed the fact that the County Administrator oversees the nursing home and they feel that the nursing home is running better than it has previously. Administrator Wozmak stated that the Commissioners would be interviewing an individual for the Assistant Administrator position. This individual is a nursing home administrator in another county who is retiring and wants to be able to work fewer hours with less responsibility.

Rep. Robertson stated that he does not have a problem with all employees receiving a merit raise. Administrator Wozmak stated that employees who do not fulfill their job requirements are fired or leave. Commissioner Zerba read the statistics of employees terminated for the past several years.

Finance – Rep. Pratt asked for the approximate health and dental costs for the finance department. Director Trombly stated that health insurance costs is \$59,648 and dental is \$3050.

Rep. Hogancamp asked if we are obtaining the best prices for purchases such as telephone, office supplies and photocopy supplies. Administrator Wozmak stated that prices are government bid prices for most purchases.

Rep. Pratt asked about the increase in audit costs. Director Trombly stated that because of the GASB 34, (General Accounting Standards Board) changes in auditing were required, which resulted in additional work by the auditors. Costs are expected to level out going forward.

Rep. Pratt moved to accept the Finance budget, Rep. Eaton seconded, voted unanimously.

Treasurer – There was a question on travel expenses. Administrator Wozmak stated that the budget was put together by the previous treasurer and the travel expense is for workshops and conferences.

Rep. Pratt moved to accept the Treasurers budget, Rep. Tilton seconded, voted unanimously.

Computers – Health Insurance costs is \$15,661, dental is \$401.

Rep. Pratt asked why there is \$10,500 for continuing education. Wendy stated that now that there is a third part time person, she and Doug are hoping to be able to go to more classes. The committee reviewed some of the line items in the computer budget. Wendy reviewed changes in the budget. This includes the State of NH Department of Safety increase in fees from \$7200 to \$9000 in the maintenance line; and tech support for the computer network maintenance line is cut by \$5500 to \$12,500 for network tech support.

The committee said they would like to see some of the line items broken down. Rep Hunt asked that computer maintenance line have separate accounts for each department of the county.

Rep. Eaton moved to accept the Computer budget as amended, Rep. Dexter seconded, vote unanimously.

A five-minute break was taken at 10:55 AM. The members returned to the meeting at 11:05 AM.

Human Resources/Personnel Administration – Health insurance is \$10,398, dental insurance \$728.

There was some discussion on the advertising costs. Rep. Dexter asked about tuition reimbursement, and why so much money was allocated for 2004 that was not spent. Director Trombly stated that she has not received all reimbursement requests in because the semester ended in December and paperwork has not been submitted.

Rep. Pratt asked why recruiting benefits were cut. Administrator Wozmak stated that the recruiting benefits are for the higher level employees and he does not believe that, over time, the bonus has created a tangible benefit of attracting more employees.

Rep. Pratt moved to accept the Human Resource and Personnel Administration budget, Rep. Butynski seconded, voted unanimously.

Deeds – Register Hubal stated that her salary line should be \$50,000 as previously voted for by the delegation.

Register Hubal described the surcharge account and that there is about \$43,000 in the account after the expenditure for the shelving. She is asking for an additional \$4500 for shelving.

Rep. Emerson moved to authorize an expenditure of \$4500 from the Deeds Surcharge Account for additional shelving, Rep. Hogancamp seconded, voted unanimously.

Health insurance cost is \$50,718, dental insurance is \$2214. Rep. Pratt asked about the increase in outside services. Register Hubal stated that she is requesting an additional document scanner for the basement storage room. The room can only be accessed with an employee present and the scanner will be used by the employee in the room. Additionally, it will give them an additional scanner to use because they are so backed up in adding documents to the computer.

Rep. Butynski moved to accept the Deeds budget as amended, Rep. Emerson seconded, voted unanimously.

General County Government – There is an intern line in the budget for this department and Rep. Hunt would like some information on the interns, what they do, how they are chosen, what they have worked on, and how the information process is done, in addition to a list of interns positions used by the county.

Rep. Pratt asked about the telecommunication line, which was moved from general county line to courthouse facilities. Director Trombly stated that costs have been shifted to enable the facilities department to oversee the costs and the contract.

Rep. Eaton moved to accept the General County budget, Rep. Pratt seconded, voted unanimously.

Alternative Sentencing/Mental Health Court – Health insurance, no costs, Dental insurance \$567.

Rep. Pratt asked about the grant for the Mental Health Court. Director Trombly stated that the federal grant would expire in 2005. Administrator Wozmak gave an overview on the history of starting the Alternative Sentencing department, in order to deflect the number of people who would have been incarcerated. This was a recommendation of the jail consultant.

Gerry Pelletier gave an overview of the program and the number of individuals who have completed the program. Commissioner Zerba addressed the importance of treating individuals with substance abuse in order to keep them out of jail. Rep. Butynski asked for an analysis on the cost savings of the program. Administrator Wozmak said he would submit a report to the Delegation detailing the history of the programs and the financial impacts.

There are additional expenses to be added to the 2005 budget due to the relocation to new office space. These expenses include line 4460.65.00 Fuel increase by \$1841; 4460.06.00 electric increase of \$1430; 4460.80.00 grounds \$750 increase; 4460.81.00 maintenance increase of \$1500; rent of 4460.86.00 rent reduce to \$21,110, total increase to the budget of \$3721.

There being no further business, at 12:25 PM, the meeting was adjourned to meet on January 10 at 9 AM.



Minutes approved by phone on Jan. 12, 2005

Barbara Richardson, Clerk

MINUTES
Cheshire County Delegation
Executive Committee Meeting
2005 Budget Review
Monday, January 10, 2005 9:00 AM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Allen; Butynski, Dexter; Eaton; Emerson; Espieffs; Hogancamp; Hunt; Mitchell; Pratt; Richardson; Robertson; Sinclair; Tilton; Commissioners Zerba, and Moore; County Administrator Wozmak; Sheryl Trombly Finance Director; Terry Warren Ex. Asst. to Commissioners.

The meeting commenced at 9 AM. All committee members and county employees present introduced themselves.

The report completed by the intern working in the Commissioner's office, which had previously been mailed out in May 2004, was distributed to this committee.

Maplewood Nursing Home

Administration – Chairman Robertson asked for an explanation on the first three line items. Administrator Wozmak stated that as explained last week, the changes in the nursing home administrator position would create an assistant nursing home administrator position. The grade of the position will probably not change because the position will report to the administrator. The pay is less because of a decrease in responsibility of the assistant and less hours worked.

Rep. Dexter asked about the increase in the printing line. Administrator Wozmak stated that the nursing home brochure would be reprinted because it has not been done in five years and we are running out of them. The brochures are a marketing tool for those people looking for information about the nursing home. It will be updated as needed. There was discussion about whether or not we should be printing such things given the ease with which this information can be obtained on the Internet.

Quality Improvement – Health Insurance \$11,596, dental \$323. Director Trombly explained the health insurance program and what the employee benefits are.

Rep. Pratt asked about the education line. Administrator Wozmak stated that this is for the health care fair for employees, which has not been held for several years.

Rep. Pratt asked if the department managers were going to give a short presentation for each department, explaining what the department does. Administrator Wozmak said that it would be possible if the Chairman felt it would be useful. Wozmak gave an overview of the Quality Improvement department. This department oversees audit reporting and special committees, such as resident falls and incidents, food quality and activities and is mandated by federal regulation governing nursing homes.

Rep. Espieffs asked about the health insurance benefits for employees. There was a discussion on the self-insured county health plan that is available to employees. The County has been self-insured for about 5 years with good claims experience and has managed to have premium increases slightly below market rates.

Rep. Pratt moved to approve the QI budget, Rep. Eaton seconded, voted unanimously.

Nurse Practitioner – Continuing education line includes travel costs required. Administrator Wozmak stated that the county is considering a contract with Cheshire Medical for a nurse practitioner. He will come back to the committee with an update in a couple of weeks as this budget line may go to zero.

Dietary – Health insurance \$95,232, dental insurance \$4617.

Nursing – Chairman Robertson asked what is a MNA. Administrator Wozmak stated that they are medication nursing assistants who are able to dispense medications. Health insurance costs are \$656,472, dental \$28,324. Rep. Pratt asked about the travel allowance. Administrator Wozmak stated that this line includes meetings, going to assess residents. Rep. Eaton asked about staff retention. Administrator Wozmak stated that we are in pretty good shape. He explained that we are still involved with the nursing program at Community Technical College in Keene. He stated that we probably have the highest staffing ratio of most nursing homes.

Rep. Pratt asked Lisa Kemp, DNS, how the change in administrators has affected the staff. Lisa stated that morale has not been significantly affected. When asked about the nursing staff shortage, she said staffing has gone up and down as it usually does. We have about the same number of nurses as a year ago. Rep. Pratt asked about the ratio of nurses to residents compared to other nursing homes. Lisa stated that our ratio is probably better. She explained that Dr. Shapiro's coverage (through Cheshire Medical Center-Dartmouth-Hitchcock) is two days a week and that everything is going very well. Residents are given an exam every 60 days by either Dr. Shapiro or a physician of their choice.

Rep. Eaton moved to approve the nursing budget, Rep. Emerson seconded, voted unanimously.

TLC – Lisa explained that there are 22 beds in the behavioral unit on the third floor. Health insurance is \$105,748, dental is \$3673.

Rep. Dexter asked about the overtime line and if increasing the number of nurses would help reduce that line. Lisa stated that there are not enough people to fill the jobs.

Rep. Eaton moved to approve the TLC budget, Rep. Pratt seconded, voted unanimously.

Laundry and Linen – Rep. Pratt asked about the fact that there is not a director of this department. Director Trombly stated that the line for laundry and housekeeping was streamlined and there is a supervisor of each of the departments who reports to the nursing home administrator. Health insurance \$37,784, dental \$1928. Administrator Wozmak said that this is consistent with the reduction of some middle management positions for economic reasons and streamlining management.

Rep. Eaton moved to approve the Laundry and linen budget, Rep. Hunt seconded, voted unanimously.

Housekeeping – Health insurance is \$74,370, dental \$3375.

Rep. Eaton moved to approve the housekeeping budget, Rep. Hunt seconded, voted unanimously.

Activities – Health insurance \$40,191, dental \$889.

Social services – Administrator Wozmak explained that this department works with residents and their families on social service issues that may arise. Health insurance \$15,661, dental \$1563.

Rep. Eaton moved to approve the social services budget, Rep. Hunt seconded, voted unanimously.

Occupational Therapy – Health insurance \$5263, dental \$1432.

Rep. Eaton moved to approve the occupational therapy budget, Rep. Hunt seconded, voted unanimously.

Physical Therapy – Health insurance \$52,045, dental insurance \$2288.

Rep. Eaton moved to approve the physical therapy budget, Rep. Hunt seconded, voted unanimously.

Miscellaneous services to residents – Rep. Sinclair asked about the religion line. Administrator Wozmak stated that it is a clergy stipend. We have a minister from the United Church of Christ who spends a minimum of one day a week with residents. There was discussion about what the line item should be called and **Rep. Butynski moved to retitle the line to “spiritual counseling”, Rep. Emerson seconded, voted unanimously.**

Rep. Pratt moved to approve the misc. services to resident's budget, Rep. Hunt seconded, voted unanimously.

Outpatient Clinic – Administrator Wozmak stated that this line could be reduced to zero, again, on the basis that the nursing home no longer has an in-house nurse practitioner and that the County is discussing this service with Cheshire Medical Center-DH Clinic.

House of Corrections – Superintendent Van Wickler introduced himself and Executive Assistant Penny Vitale as employees of the HOC, and gave an overview of the department. He stated that he has completed several analyses on the staffing of the new facility. He stated that he had asked for seven new employees for next year, but was approved for three. The Commissioners and the Superintendent later agreed to an amount of funds for the Superintendent to use his discretion and hire as many as he can (either full or part-time) as the funds would allow. He gave an overview of how he has determined what number of staff he will need for the new jail. There was much discussion on the staffing issues in the new jail.

Superintendent Van Wickler explained that there are only two correctional officer's academies a year and he can only send two officers at a time because of the effect on the jail. **Rep. Pratt moved that a subcommittee be established in order to work on the staffing requirements for the new jail, Rep. Hunt seconded, discussion followed.** Administrator Wozmak explained the staggered hiring process that was to be used in the Commissioners recommended budget for new correctional officers. **Voted unanimously to create a subcommittee.** Rep. Hogancamp will chair, and Reps. Hunt, Emerson, Dexter, Allen, Tilton will be on the committee. A date of January 21 (Friday) at 9:00 AM was set for them to meet and the full delegation will be invited to attend. The meeting will be held at the jail.

Farm – Health insurance \$15,661, dental \$1129. Rep. Pratt asked that the equipment repair items be clarified. Manager Putnam stated that it is the manure spreader and the tractor that need repairs. Rep. Pratt asked what steps have been followed from the consultant's report. David stated that the feed, vet and medicine costs have been addressed. He has been able to make some changes in the feed costs but not in the vet and medicine costs. Rep. Emerson asked how many inmates work at the farm, he stated that there are four to six a day.

Mr. McGuirk, a resident of Walpole, was asked if he would like to make a statement. He stated that he is interested in the operation of the farm. He has obtained the current costs and they indicate that the farm is showing a loss of \$16,000 for 2004. He stated that if the farm continues to use inmate labor, there would be an additional expense of transportation of inmates to the farm when the jail moves. He stated that his issue is not in closing the farm but for it to break even.

There are funds in capital reserve that David would like to use for the equipment that needs to be replaced. He said the reserve funds could be put to use without affecting taxes. There was continued discussion about what would happen to the farm when the jail moved to Keene. He explained that overseeing the inmates working at the farm is dependent on farm employees and these costs are included in the farm budget. Chairman Robertson stated that the task of this committee is to vote on the budget and not to determine whether the farm stays open. **Rep. Eaton**

moved to approve the farm budget, Rep. Hunt seconded, Rep. Pratt opposed the motion, Reps. Tilton, Allen, Hogancamp, Emerson, Butynski, Richardson and Robertson approved, and motion passed.

Meeting adjourned at 12:40 PM, to meet on January 24 at 9 AM.



Minutes approved at meeting of Jan. 24, 2005

Barbara Richardson, Clerk

Executive Jail Staffing Sub-Committee

Date: Friday 1/20/05 9:00AM

Attendees: Rep. Anna Tilton, Rep. Susan Emerson, Rep. Peter Allen, Rep. Deb Hogancamp, Superintendent Rick VanWickler, Commissioner Roger Zerba, Rep. John Hunt, Rep. Charles Weed

Excused: Rep. Judson Dexter

The meeting was called to order at 9:05 AM. Superintendent Van Wickler began with a presentation of how we had gotten to where we are in the building of the new jail. He presented the 6 studies that have been done since 1997, and the ensuing recommendations. He also presented the Executive Summary produced by the Commissioners & the superintendent.

He described the 3 types of jail architecture-the advantages and disadvantages of each. Currently the most successful and cost effective to run is the direct supervision. program. He then presented a power point description of the plan that is being used complete the jail project.

10:15 AM County Administrator Jack Wozmak arrived.

The committee members asked many questions, and Superintendent Van Wickler answered them all.

A discussion regarding time lines for hiring of new staff, completion of the new jail, and options for safely accomplishing both.

The sub-committee unanimously agreed that the proposed \$49,000 for new staff in 2005, and that the superintendent have control over the way it is spent would be the best course. The reasoning was: the construction time line is not definite, the recruitment and hiring process is not a definite, and until we can become more specific we will proceed conservatively.

The meeting adjourned 11:30 AM

Respectfully submitted,

Rep. Deb Hogancamp

MINUTES
Cheshire County Delegation
Executive Committee Meeting
2005 Budget Review
Monday, January 24, 2005 9:00 AM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Butynski, Dexter; Eaton; Emerson; Hogancamp; Hunt; Mitchell; Pratt; Richardson; Robertson; Sinclair; Tilton; Commissioners Zerba, and Moore; County Administrator Wozmak; Sheryl Trombly Finance Director; Terry Warren Ex. Asst. to Commissioners.

The meeting commenced at 9:07. Commissioner Zerba noted that Human Services would be presented at a latter meeting.

Facilities

Health insurance for MNH facilities - \$53,380, dental \$2576; Keene \$10,398, dental \$1032.

Barry King gave an overview of some of the budget lines of the facilities budget. He stated that due to conservation efforts we saved about a million gallons of water in the last quarter due to the Honeywell energy conservation project. Rep. Pratt asked for information on the Honeywell project. Manager King stated that it includes water conservation, heat and electric efficiency at MNH, the Courthouse and the administration building. There was some discussion on the water usage at the nursing home.

Rep. Tilton asked about the Latchis building. Manager King stated that he is looking at various projects for it with the MacMillan Co. One of them includes adding netting over the roof to safeguard the balance of the roof and bricks. Chairman Robertson stated that he does not understand why the roof has not been repaired and that he feels the building is solid and should be maintained. There was discussion whether we want to be involved with property development. Administrator Wozmak suggested that an appraisal of the property be completed with the thought that the building be sold since our plans have not come to pass. Commissioner Zerba addressed the issue of the Latchis and that the Commissioners are working on a solution, which may include selling the property. **Rep. Pratt moved to approve the MNH facilities budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.**

The HOC facilities budget was reviewed. **Rep. Pratt moved to approve the HOC facilities budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.**

The wastewater treatment plant budget was reviewed. Manager King stated that sludge removal was completed last year. **Rep. Pratt moved to approve the WWTP facilities budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.**

The water treatment plant budget was reviewed. **Rep. Pratt moved to approve the WTP facilities budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.**

The farm facilities budget was reviewed. **Rep. Pratt moved to approve the farm facilities budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.**

The courthouse facilities budget was reviewed. **Rep. Pratt moved to approve the courthouse facilities budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.** There was some discussion about a unified courthouse location for all the courts in the county.

The Administration building facilities budget was reviewed. **Rep. Pratt moved to approve the Administration facilities budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously. Sheriff and Sheriff Dispatch**

Sheriff department health insurance - \$68,977, dental \$3750; dispatch health \$31,322, dental \$2723.

Sheriff Foote gave an overview of the increases requested in the budget. Gasoline prices have increased. They will purchase only one car this year. He stated that he is not fully staffed either in the sheriff's department or in the dispatch. He spoke about the part time contract with the town of Gilsun and that he feels it is working out well. The Sheriff would like to add an item to the budget. He would like to add \$8800 to equipment purchase to purchase tasers for the deputies. There was discussion about use of tasers. **Rep. Eaton moved to add \$8800 to the sheriff equipment purchase line, Rep. Pratt seconded, voted unanimously. Rep. Pratt moved to approve the sheriff and dispatch budget as otherwise recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.**

At 10:30, a short break was taken, and members returned to the meeting at 10:40.

Since the update was received regarding the alternative sentencing **Rep. Pratt moved to approve the ASP/MHC budget as recommended by the Commissioners, Rep. Eaton seconded, voted unanimously.**

County Attorney

Attorney department health insurance \$55,712, dental \$1914; Victim Witness, 11,596, dental 323; Victim Witness DC health insurance \$0, dental \$1031; prosecutors grant health \$10,398, dental \$161.

Attorney Albrecht gave an overview of his department and its needs. He reviewed the history of the number of cases his department is involved in, their involvement in alternative sentencing cases, working with various community treatment organizations in the county and the need for an additional attorney. **Rep. Eaton moved to approve the County Attorney budget as recommended by the Commissioners, Rep. Butynski seconded, voted unanimously.**

Cooperative Extension

Lauren Bressett presented the cooperative extension budget and reviewed the work they do with the county. **Rep. Richardson moved to approve the Cooperative Extension budget as recommended by the Commissioners, Rep. Butynski seconded, voted unanimously.**

Rep. Hogancamp gave a report of the Executive Committee's Jail Staffing Sub-Committee, of which Rep. Hogancamp is the Chair. The Sub-committee met on Friday, January 21. The committee met for over two hours and agreed that the proposed \$49,000 for staff increases for the new positions at the jail was appropriate and that the superintendent should have control over the expenditures. There was some discussion on the information reviewed at the meeting. **Rep. Hunt moved to approve the HOC budget as recommended by the Commissioners, Rep. Hogancamp seconded, voted unanimously.**

A break was taken until the next presenter arrived.

Conservation District

Deb Hinman introduced herself and gave an overview of what the purpose of the NRCS is to the county. She noted that there were 16 federal grants in 2004 assisting programs in Cheshire County at a value of \$246,152. They work with towns, organizations, students and cooperative extension, for the residents of Cheshire County. **Rep. Pratt moved to approve the Conservation District budget as recommended by the Commissioners, Rep. Butynski seconded, voted unanimously.**

Meeting adjourned at 12:25 PM, to meet on January 31 at 9 AM.

A handwritten signature in black ink that reads "Barbara Hill Richardson". The signature is written in a cursive, flowing style.

Minutes approved on Feb. 10

Barbara Richardson, Clerk

MINUTES
Cheshire County Delegation
Executive Committee Meeting
2005 Budget Review
Monday, January 31, 2005 9:00 AM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Allen, Butynski, Dexter; Eaton; Emerson; Hogancamp; Hunt; Mitchell; Pratt; Richardson; Robertson, Sinclair; Tilton, Butcher, Parkhurst; Commissioners Zerba, and Moore; County Administrator Wozmak; Sheryl Trombly Finance Director; Terry Warren Ex. Asst. to Commissioners.

The meeting commenced at 9:00.

Outside Agencies

Community Kitchen - Mindy Cambiar presented the budget request for the Community Kitchen. There was approximately a 9% increase in people served in 2004. She explained that the cost of each meal went up from 55 cents a meal to 59 cents a meal because of heating and health insurance costs. She stated that approximately 97% of those using their services are considered low income. **Rep. Pratt moved to approve the Community Kitchen request, Rep. Mitchell seconded, voted unanimously.**

Keene Senior Citizens Chris Callahan made the presentation of the Senior Citizen request. Dale Thompson and Peggy Lynch, members of the board, were present to support their request. They have done some fund raising last year, as suggested by the executive committee. Rep. Pratt asked about the funding for trips taken by the seniors, Chris said that the trips are fully funded by those attending. There are two full time employees and two part time employees at the center. There was discussion that the Center should increase its membership rates which would eliminate the need for County funding and further comments that this was recommended by the Executive Committee last year and apparently this advice was ignored. There was discussion about how many localities other than Keene utilize the Center. Keene represents about 70% of the users. **Rep. Pratt moved to approve the Keene Senior Center budget request of \$6,000, Rep. Allen seconded, discussion continued, roll call vote was taken, with a vote of 6 to 6, motion did not pass. Rep. Eaton moved to approve the Keene Senior request for \$5,000, Rep. Tilton seconded, voted unanimously.**

Monadnock Center for Violence Prevention - Shana Roy made the presentation for the MCVP. They served over 1500 people in 2004. They have a hot line, information and referral to other agencies, and have an emergency shelter. They currently have two domestic violence support groups. They take walk in clients and there are eight employees who work on the telephone, in the courts, and have direct contact with clients. **Rep. Eaton moved to approve the MCVP request of \$6,000, Rep. Richardson seconded, voted unanimously.**

Monadnock Developmental Services - Carol Brown made the presentation of the request by MDS. She stated that they have increased the number of hours given to families for respite. She explained that respite services are for families with members who are suffering from chronic illness, developmental disability or acquired brain injury. She explained that respite services give families some time away from the sick family member. A summary of community needs assessment for MDS was distributed to the committee. Carol gave an explanation of how a referral is handled. **Rep. Pratt moved to approve \$35,000, Rep. Sinclair seconded, voted unanimously.**

Monadnock Family Services - Doug Iosue gave an overview of the MFS request and the services given to the community by MFS. **Rep. Eaton moved to approve the MFS request of \$80,000, Rep. Richardson seconded, discussion followed. The question called, voice vote taken and Rep. Pratt and Hunt opposed, Rep. Butynski abstained, motion passed 9 to 3.**

Monadnock Substance Abuse/Acting Out - Susan Schnyer presented the budget request and gave an overview of the MSA/Acting Out programs. There was some discussion regarding the programs. Rep. Hunt stated that he would like to either have backup information separate from MFS, or this agency be included in the MFS budget. Discussion followed. **Rep. Eaton moved to approve the MSA/Acting request of \$7750, Rep. Richardson seconded, voice vote resulted in Rep. Dexter, Hogancamp and Hunt voting against, motion passed 9 to 3.**

VNA at HCS Barbara Duckett gave an overview of the services given by HCS. Outreach to the community includes home health aid to the frail and elderly in the county. Their request is approximately \$6000 more than previously. They have about 100 homemakers and 3.5 outreach workers. **Rep. Eaton moved to approve the HCS request for \$95,752, Rep. Richardson seconded, Reps. Dexter and Hunt opposed, motion passed 10 to 2.**

Fire Mutual Aid - Paul Szoc introduced himself to the committee. He gave the history and overview of the FMA and explained that they were once fully funded by the county and now the county is assessed and the funds collected from the towns and city of Cheshire County. Commissioner Zerba reviewed the financial history of FMA with the county and the reasons for separation. He explained that the FMA was not able to do police calls and that is why we have the sheriff dispatch. Rep. Eaton spoke to the relationship with FMA and the work they are able to do. Rep. Hunt asked for a financial statement from FMA for next year's request. **Rep. Hunt moved to approve the FMA budget request of \$413,391.00, Rep. Eaton seconded, voted unanimously.**

Administrator Wozmak introduced Bob Hemenway, the new assistant administrator at MNH.

Pilot Project – Administrator Wozmak stated that there is no budget for this project this year.

Human Services – Mimi Barber distributed paperwork that describes the programs in the HS budget. Administrator Wozmak explained that the Commissioners agreed to leave the budget as it has been submitted rather than making adjustments at this point. When the figures are better defined, and the proshare funds come in, the adjustment will be made. **Rep. Hunt moved that the HS budget amount recommended by the Commissioners be approved, Rep. Eaton seconded, voted unanimously.**

Assisted Living – Administrator Wozmak presented the Assisted living budget and gave an overview of the assisted living housing at MNH. There is a waiting list of 30-40 individuals for the facility. Rep. Hogancamp asked about the addition of a RN to that department. Administrator Wozmak explained that by law a RN is required and that the present administrator is not a RN so a 15-hour RN position has been added. **Rep. Eaton moved to approve the amount recommended by the Commissioners for the assisted living budget, Rep. Hogancamp seconded, voted unanimously.**

Outpatient Clinic Administrator Wozmak stated that the outpatient clinic is going to be removed because we do not have an in house nurse practitioner to run the clinic for the assisted living residents. **Rep. Hunt moved to reduce to \$0 the budget and revenue line for the outpatient clinic, Rep. Eaton seconded, voted unanimously.**

Administrator Wozmak brought the following budget changes before the committee: add an assistant administrator position to the Maplewood Administration line at \$52,250, and bring the administrator line to \$0. Nurse practitioner budget 4413 is to be reduced by \$82,336 to \$0 for all expenses; eliminate revenue of nurse practitioner of \$118,500. Add \$12,000 to 4412.29.28 outside services for physicians for the cost of employee physicals and potential on-call pay that we will now need to pay due to the loss of the NP. Add to MNH revenue \$51,000 due to the Medicaid rate increase we just received that will go into effect 2/1/05. Add \$35,905 to 3509.00.00 miscellaneous income from the Honeywell rebate (this is from the water saving related to the toilets that could not work in the facility). MNH administration budget 4411.39, reduce printing, binding and books to \$800 (from \$2,800) by printing MNH brochures in house. Eliminate the expense for the Outpatient Clinic of \$10,713 due to the loss of

the NP that would have staffed the clinic; eliminate the corresponding revenue of \$12,000 for the Outpatient Clinic. These adjustments will result in a net reduction of \$48,092.00. **Rep. Hunt moved to approve the above changes, Rep. Richardson seconded, voted unanimously.**

Meeting adjourned at 1:05 PM, to meet on February 7 at 9 AM.



Minutes approved Feb. 10, 2005

Barbara Richardson, Clerk

MINUTES
Cheshire County Delegation
Executive Committee Meeting
2005 Budget Review
Monday, February 7, 2005 9:00 AM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Allen, Butynski, Dexter; Eaton; Emerson; Hogancamp; Hunt; Mitchell; Pratt; Richardson; Robertson, Sinclair; Tilton; Commissioners Zerba, and Moore; County Administrator Wozmak; Sheryl Trombly Finance Director; Terry Warren Ex. Asst. to Commissioners.

Chairman Robertson commenced the meeting 9:00 AM.

Capital Budget

The committee reviewed the capital budget. Rep. Pratt asked about the courthouse capital improvements and if the state was responsible for the work associated with the replacement of the underground fuel storage tank. Administrator Wozmak stated that the county is responsible.

Rep. Pratt asked about the thin-client computing in the computer operations request. Wendy Putnam explained that this system would replace having individual computers at each location. Instead certain locations will only have screens with a central information site. There will be approximately 20 locations with the screens. Rep. Hunt asked about the air conditioning. Wendy stated that it is for the server unit room and the fire alarm room next door.

Rep. Pratt asked why there is a car in the sheriff's budget since the sheriff stated that he is not purchasing an auto this year. The Sheriff was contacted and he wants the auto in the budget.

Rep. Tilton asked about the \$2500 for the outpatient clinic. Administrator Wozmak stated that it would be taken out of the budget. **Rep. Tilton moved to reduce line 4900.97.11 by \$2500, Rep. Eaton seconded, voted unanimously.**

Rep. Tilton asked about the elevator costing \$175,000. Administrator Wozmak explained that the elevators are at the end of their useful life of about 24 years. He explained that there was a repairman who was here for three days last year, sleeping here and being available to keep the elevator working. The elevators are increasingly unreliable and sometimes trap residents and staff between floors. The funds will be used to update the two elevators.

Rep. Tilton asked about the card-readers for the second and fourth floor stairwells. Administrator Wozmak explained that they are presently using a code system that causes delays and the card system will allow the use of ID swipe cards similar to those used on other secure doors in the facility.

The request of the farm manager for \$29,000 from surplus for the farm capital equipment line in order to purchase a manure spreader and purchase/repair the tractor was presented to the committee. These funds had been authorized, but were not used last year. Manager Putnam explained the equipment he has at the farm and the different uses of this equipment. Rep. Pratt spoke against spending any money on the farm to buy new equipment. **Rep. Eaton moved to approve the expenditure for the farm capital equipment, Rep. Richardson seconded, voice vote taken, Reps. Tilton opposed, Rep. Pratt abstained, 11 votes to approve. Motion passed.**

Rep. Dexter asked how the step system for employees works. Administrator Wozmak explained that the step system is used when, over a span of a year, an employee warrants a raise, they move to the next step. There was discussion on the assistant administrator position and salary and Administrator Wozmak explained salary as submitted last week was for a less than one year period. **Rep. Pratt moved to reduce the assistant administrator's salary from \$52,250 to \$40,000, Rep. Sinclair seconded.** Discussion followed. Commissioner

Zerba explained that the commissioners have conducted several searches for a nursing home administrator. There was discussion that \$40,000 would not be sufficient to attract someone to the position. The motion was called and **a voice vote resulted in Rep. Pratt for the motion, twelve votes against, motion failed.** Salary remains at \$52,250 as approved last week by the Executive Committee.

There was a discussion about the use of interns by the county. **Rep. Hunt moved that before any department hires an intern, the position and what they will do be brought before the executive committee for approval, Rep. Emerson seconded.** Discussion followed and motion was withdrawn. Rep. Pratt suggested that a report or update be submitted to the executive committee when interns are hired.

Rep. Hunt moved to reduce outside agency, Monadnock Substance Abuse, from \$7750 to \$5750. Discussion followed. **Voice vote taken and there were three votes for the motion, Reps. Hunt, Emerson and Dexter; ten votes against, motion failed.**

Rep. Pratt moved to approve the budget totaling \$26,626,582 with an increase over last year of 4.95%, \$11,861,066 in taxes to be raised, at an increase over last year of 1.5%, Rep. Robertson seconded, voted unanimously.

Rep. Pratt suggested that a motion be made to recommend to the delegation that all outside agencies be put on notice that they should not expect any more than 80% of the funds that they received this year, Rep. Emerson seconded. Rep. Eaton stated that he would support the motion provided the Commissioners send a letter to the agencies advising them of this. Discussion followed. **Rep. Hogancamp seconded, hand vote was taken and 8 voted in favor, four voted against the motion, motion passed.** The motion will be advanced to the full Delegation.

Rep. Hunt moved that \$11,500 be taken from the surcharge account for Deeds use, Rep. Eaton seconded, vote was unanimous.

Administrator Wozmak reminded the committee that March 7 at 7 PM is the date for the delegation meeting to vote on the budget. The Committee decided that they prefer March 21 at 7 PM.

A five-minute break was taken at 11:05 AM. Meeting resumed at 11:15 AM.

Rep. Hunt moved to correct the approved budget amounts to \$26,518,457 with an increase over last year of 4.53%, \$11,740,941 in taxes to be raised, at an increase over last year of .62%, Rep. Robertson seconded, voted unanimously.

4th Quarter Budget Review

Finance Director Trombly gave an overview of the fourth quarter budget. The overall budget is showing approximately an \$802,000 surplus which did not include the use of 2004 budgeted funds \$1,210,000. The 2005 budget includes a substantial amount of fund balance to be used. The reason for the surplus is the bed tax money we received in 2004 that was not budgeted, and a second receipt of 2003 proshare funds. On the expense side, the Human Services budget had a surplus of a couple of hundred thousand dollars in the area of board and care of children, which was lower than anticipated.

There was some discussion over the format of the quarterly reports, generated by a different program than the yearly budget and cannot be set up in the same format. Rep. Tilton asked how much we are in the red for nursing home costs. Administrator Wozmak stated that there is a \$68/day difference in what it costs vs what we get paid by Medicaid. Rep. Tilton made the point that if the state paid their costs to the nursing home that they are responsible for, the county would not have to make up the funds they are not receiving.

Rep. Pratt asked if there is any particular department that had serious negative discrepancies from the allocated budget. Director Trombly stated that it was the House of Corrections, page 35. The payroll and benefit line was not accounted correctly because of the mix of correctional officers 1, 2 and 3 and time due to them, and an unusual amount of medical transports were required, which resulted in overtime. Additionally, the RN at the HOC was out on leave because of a broken hip and registry fees were very high. Some of her time was taken over by some of the nurses at the nursing home, but not all.

Rep. Hogancamp requested that Director Trombly review some of the items expended in the contingency line. Administrator Wozmak stated that we do not fund contingencies, we do not anticipate them and they are posted at a zero budget because it keeps track of them.

Director Trombly reviewed other areas of the budget, nursing and TLC were both over budget by \$82,000, registry usage being higher than the previous year; many departments came in under budget such as housekeeping because they could not fill some positions and those positions were transferred to nursing for ward aides.

Rep. Eaton moved to accept the fourth quarter budget, Rep. Hunt seconded, voted unanimously.

Meeting adjourned at 11:50 PM.



Minutes approved on Feb. 18, 2005

Barbara Richardson, Clerk

MINUTES
Cheshire County Delegation
Public Hearing
Tuesday, February 15, 2005 7 PM
Keene Public Library, Keene, NH

PRESENT: Representatives Allen, Butynski, Chase, Dunn, Dexter; Eaton; Espieffs; Hogancamp; Mitchell; Parkhurst; Pratt; Richardson; Roberts; Robertson, Tilton; Weed; Commissioners Zerba, and Moore; County Administrator Wozmak; Terry Warren Ex. Asst. to Commissioners.

Chairman Dexter opened the meeting 7 PM.

Chairman Dexter explained that this meeting is a public meeting. He gave a synopsis of how we have gotten to where we are today. He reviewed some of the sites that were considered by the committee and what they encountered with those sites. He explained how we came to consider the present location for the jail.

The Delegation needed to meet again to vote on the bond motion because of the timing requirements of a bond. Administrator Wozmak explained that when a vote is made for a bond, it must be within 14 days of the public hearing, which had been exceeded. This meeting gives the Commissioners an opportunity to bring everyone up to speed, in addition to bringing the delegation together to vote.

Two architects from SMRT, David Lay and Arthur Thompson explained the location of the jail on the site. Administrator Wozmak described the properties needed and the location of the wetlands around the properties, which will act as a buffer to the jail. Soil surveys and wetlands were considered. David Lay gave an overview of the building design and explained that it is a simple structure with inexpensive materials. The floor plan is program driven. He explained the separate building is the workers dorm for minimum-security inmates who are on work release or sentenced to weekends at the jail. The workers dorm is a wood frame building because the security risks are less and the costs will be less. He explained that the budget had been \$23.5 million in 2002 and with inflation and construction materials increasing costs, the cost evaluation is at \$29 million for 2006. SMRT met with the design committee to look at how to cut costs. They had to determine if they want a cheaper project or if they should cut the size. They determined that the materials in the present plan were deemed appropriate to the project and the design was considered appropriate to the building.

Arthur Thompson reviewed the consultant's report done by David Bennett. The number of beds needed was considered to be 157, which should hold us until about 2025. They considered that the 150-bed project was appropriate for size. He reviewed how the project would be changed if we tried to keep to the 2002 amount. The number of beds would be reduced to 108. Given the current number of 112 inmates currently at the jail, the facility would immediately be too small and would offer no meaningful opportunity for growth. This would restrict our ability to use a classification system for inmates.

The floor was opened to the public.

- ◆ Keene resident, Katherine Delanoy stated that the jail should be built on the former Keene Public Works property on Main Street.
- Chairman Dexter stated that the county was interested but was put off by the city. Administrator Wozmak explained that as an old landfill, there were many requirements and approvals needed before the county begins building. The process could add years to the building date.
- ◆ Planning Board member, William Beauregard asked about the difference in the funds requested tonight as compared to what was advertised, and how this affects tonight's meeting. He asked if the city receive noticed of this meeting. He stated that he reviewed a couple of weeks of the Sentinel and he did not see a notice in the paper.

- Administrator Wozmak stated that the bond counsel has been contacted about the difference and they have stated that it does not affect the validity of the vote. Chairman Dexter noted that the county administrator follows the rules. It was noticed on page two in the Feb. 3rd edition of the Keene Sentinel, a copy of the newspaper ad being brought to the meeting.
- ◆ William Beauregard, stated that the city is concerned that this meeting was held at the same time as the transportation meeting next door. He stated that he hopes the city can work with the county on this project. He explained that the site is considered a site for business expansion. He asked if there is a problem with the purchase and sale of the property. He asked that the public hearing be continued to another date to continue discussion with city staff. He asked why he as a member of a jail advisory committee was not notified of tonight's meeting. He stated that the city would like to work cooperatively and it is the first time he has seen this plan. He stated that the council wants to ensure that there is adequate capacity for building in the corporate park. He is concerned about the water and sewer use.
- ◆ William Beauregard asked if this has been brought before the citizens of Keene and he feels that before rushing in to a bond vote this be explained to the community, council, Mayor and manager. He requests that the meeting be continued to another date for an opportunity to discuss this with the city staff.
- Chairman Dexter respectfully disagreed that people are not aware of this because it has been an ongoing process. This has been on the radio, in the newspaper, that we have made a desperate search for a site for the jail and this property was identified months ago, it was discussed in the newspaper at that time. We are not springing something on the people. He suggested that if the council has a better solution, they should bring it forward but that is not happening. Just saying no does not fix the existing problem.
- ◆ Keene resident, Kendall Lane stated that there are a number of issues tonight's meeting brings forward. He stated that he is concerned how fast this is moving forward. He stated that a third of the present delegation is new and they should have time to consider the issue as other members have. He stated that its time the county consolidates and looks at a long-range plan instead of a piecemeal plan. He stated that the site is not able to support the capacity of an 85,000 square foot building. He stated that putting the facility near Keene does not help anyone. He stated that the courts might be moving, so putting the building near Keene is of no benefit. He stated that the transportation requirements of moving inmates to the farm would be an issue. He stated that the wetlands in the area need consideration. He said that this is being sprung on Keene and the city was not aware of the site and the people of Keene have not had time to express their concerns or support on this project. He believes the city should be given an opportunity to review the site and give input in this decision. He stated that there is a site on Rt. 32 across from the airport and he suggested that site be considered.
- Chairman Dexter stated that we do know about the courts moving and that they have suggested that if we find the property, they would consider it. He noted that the wetlands issue is being considered. He also stated that the Rt. 32 land has been considered by the Delegation during the site evaluations done over the past year and a half.
- ◆ Keene resident Dick Powers stated that he had a meeting with Commissioner Zerba and Administrator Wozmak and asked them several questions at that meeting. Why not have a public hearing? Public hearings have been held before and a public hearing should be held for every site considered. He was concerned that we are putting a prison (jail) on a public access road into the city. He asked that a balloon test be done to see if the building would be seen from the road. He expressed his concern that we are renting out space to federal prisoners and we should be able to save money by not taking in prisoners. He stated that property values would be affected by the construction of the jail.
- ◆ Keene Mayor Blastos came to the meeting and he stated that he polled the council regarding tonight's meeting and they would like us to discuss the project with the council. They have concerns with the project and its effect on the industrial park.
- ◆ Keene Planning Director Rhett Lamb suggested that the master plan be looked at before any big construction project is considered. He believes that the balloon test be completed and viewed from Wyman Way. He asked if there is a schedule and is it going to be brought before the city.
- ◆ Keene City Councilor Mitchell Greenwald stated that no notice was given to him or Mr. Beauregard about this meeting. He stated that there is a meeting going on next door and he asked if there will be violations in regarding to the CDBG funds. He asked if there is any reason for the change from Westmoreland to Keene.

- ◆ Keene City Councilor Peggy Lynch stated that she never heard of bonding before land acquisition. She is disappointed because Westmoreland was upset over the jail being considered for Westmoreland and they convinced the delegation to move it to Keene.
- ◆ Keene Planning Board member William Beauregard stated that he believes there are significant issues here, including the cost of the jail is changed from what was advertised. He believes the delegation should discuss these concerns with the council.
- ◆ Keene resident David Kenyon stated that he finds it is hard to understand that the county is taking property off the tax rolls.
- ◆ Keene resident Gina Hamblet is concerned that land will be taken off the tax rolls. She never heard anything about this construction site. She is concerned her property will be affected. She is concerned it is a gateway to Keene and the lights will impact on the beauty of the location. She asked at what time the inmates are released.
- ◆ Rep. Pratt stated that he feels this is an effort on the part of the Mayor to discuss the issues and wishes to create a place to share concerns. Rep. Allen stated that we have had public meetings whenever the delegation meets and the construction and site search for this jail has been going on for a very long time.
- ◆ Keene Mayor Blastos stated that he polled the council and they were comfortable that he come before the group regarding the bond vote and the CDBG issue.
- ◆ Keene resident Nancy Laurie is concerned that the land is being taken away from the corporate park and asked how the jail is in sync with city plans. She asked if there is any outdoor space for the inmates.
- ◆ Rep. Robertson stated that voting the bond does not affect the jail site. He does not understand why there should be a delay on the bond vote. Administrator Wozmak stated that the bond vote is an indication that we can go ahead with the jail plan. If we do not have a bond vote, this project stops.
- ◆ Rep. Parkhurst stated that if we vote the bond, will we meet with the Mayor and council. Administrator Wozmak stated that if the bond vote is approved, it opens the door to move forward.
- ◆ Rep. Roberts stated that the longer we wait, the interest rate on the bond increases costs.
- ◆ Keene resident Kendall Lane stated that the public is not here to discuss a bond issue but the fact that the jail is in the city of Keene.
- ◆ Planning Board member William Beauregard thinks that a meeting in two weeks would be in the best interest of everyone.
- ◆ Keene City Councilor Phillip Jones stated that he thinks that it would be a noble gesture for us to submit a plan just as any other citizen would have to.

The public meeting closed at 9:07 PM. Delegation meeting opened at 9:08.
Chairman Dexter stated that a motion for the bond vote would be entertained.

Rep. Allen made a motion to raise and appropriate a sum not to exceed Twenty nine million dollars (\$29,000,000) to finance the acquisition of land, the design, construction and equipping of a county correctional facility on land to be acquired in Keene, such sum to be raised through the issuance of bonds or notes pursuant to the provisions of RSA 28 and RSA 33, as amended, to authorize the County Commissioners to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof, and to take any other action or pass any other vote relative thereto, Rep. Weed seconded, discussion followed.

Rep. Pratt moved that a discussion with the city council and delegation should be started before the bond vote.
Rep. Eaton called a point of order, the motion is inappropriate while a motion is on the table.

Rep. Dunn stated that he thinks we should take another two weeks to discuss the issue with the city and then move forward. Rep. Robertson stated that he does not know of any reason not to move forward. He does not think it is fair to keep waiting the people from whom we are purchasing the property. Rep. Eaton stated that the soonest we can meet is March 9 and he feels that we should go forward with the bond vote and this will open communication

with the city. Rep. Roberts stated that we should be considering what is the best option for the county and not what we want. Chairman Dexter feels that the city has not made an effort.

Rep. Pratt moved that the motion be tabled, Rep. Dunn seconded. Motion failed upon a roll call vote of 8 nays and 7 yeas. Voting against the motion to table were Reps. Allen, Chase, Eaton, Richardson, Roberts, Robertson, Tilton, Weed. Voting in favor of tabling the motion were Reps. Butynski, Dunn, Dexter, Espieffs, Hogancamp, Parkhurst, Pratt.

A roll call vote was taken on the bond vote and the motion passed with 9 yeas and 6 nays. Voting in favor of the bond authorization were Reps. Allen, Chase, Eaton, Pratt, Richardson, Roberts, Robertson, Tilton, Weed. Voting against the bond vote were Reps. Butynski, Dunn, Dexter, Espieffs, Hogancamp, Parkhurst.

Rep. Eaton moved that the delegation meet with the City of Keene on Friday, March 11 at 7 PM at a place to be determined, Rep. Tilton seconded, voted unanimously. Chairman Dexter will co-chair the meeting with Mayor Blastos. Administrator Wozmak will determine the location and advise the committee.

Meeting adjourned at 9:50 PM.



Minutes approved on March 28, 2005

Barbara Richardson, Clerk

MINUTES
Cheshire County Delegation and
Keene City Council
Public Meeting
Friday, March 11, 2005 7 PM
Keene Public Library, Keene, NH

PRESENT: Representatives Allen, Butcher, Butynski, Chase, Dunn, Dexter; Eaton; Espieffs; Emerson; Foote; Hogancamp; Mitchell; Parkhurst; Pelkey; Plifka; Pratt; Richardson; Roberts; Robertson; Sawyer; Tilton; Weed; Mayor Michael E. J. Blastos; Councilors DiBernardo, Filiault; Phillips; Stout; Farrar; Jones; Bendzinski; Georgina; Parsells; Coates; Lynch; Greenwald; Pregent; County Administrator Wozmak; City Manager Maclean; City Clerk Little; Ex. Asst. Terry Warren

Chairman Dexter called the meeting to order at 7 PM.

Chairman Dexter welcomed everyone to the first joint meeting of the Keene City Council and the Members of the Cheshire County Delegation to discuss the location of the county jail. He identified himself and the Mayor, who led those present in the Pledge of Allegiance.

Chairman Dexter read the ground rules for the meeting. He explained that this meeting is an open discussion between the county and the city council. The two major areas to be discussed is the history of the jail site location and to give the city an opportunity to bring forward any other reasonable options for any other locations for the site of the jail. The public was advised that their presence is welcome but there will be no input from the public for this meeting. Written testimony will be taken, if submitted. Roberts Rules of order will be followed for the meeting. Questions will only be addressed after both sides have been heard.

A roll call attendance was taken of the city council, and a roll call attendance was taken of the delegation.

Chairman Dexter explained how we have gotten to where we are now. The present jail is overcrowded and anyone visiting would know that. There have been studies confirming this. As the population of the county grows, so does the population of the jail. Once it was determined that a new jail was needed, the location was the second step, using the current philosophy for improving rehabilitation for inmates. This included readily accessible for healthcare and mental health care, education, jobs, access to the courts, transportation, family, friends and support groups, and other areas of help for the inmates. The second part of this was to include the size of the facility and what land site do we need to make this work. We looked first at locations more centralized locations in the county. The size needed was 10+ acres. We needed utilities, topography, access to the site, willing sellers and cost, including land, site work, and utilities.

Chairman Dexter continued. We then went on a search. The first place looked at was the courthouse and the property behind it. That site did not meet the requirements established to complete this project. We looked at the Railroad property, the public works site, looking at property of other large landholders in the area. We almost obtained a 50 acre piece of property on Branch Road and 101, the price was right, utility access was available and the site worked, but that site was bought out from under us. Then we looked at the Aldrich property (only), but the property did not meet our requirements. We looked at 10 North, the Thomas property of about 400 acres, it is very large, but it does not have utilities.

We expanded the circle to Swanzey, looking at five different lots including the fairgrounds, the MedCare site, the Bardwell property, a piece in West Swanzey by Cutler School, but that was a complicated situation because it would have required trading property as well as purchasing property, and a large parcel on California St, as well as others, stated Chairman Dexter.

Those sites not fitting what we needed, we went to Marlborough and looked at several sites; the Hill gravel pit, which is a large tract of land but there were a lot of concerns regarding improperly buried materials, and the shape of the lot in order to fit the building. Negotiations were never completed. We looked at a large section of property east of Marlborough, heading towards Dublin, which was 350 acres. There were no utilities and the site was too far from the center of services.

Chairman Dexter stated that because we could not find anything that was within a short distance of the center of services, we went back to Westmoreland. We looked at three sites. One was adjacent to the current facility, one was further south of the farm, and one was the plateau site, which was next to the nursing home. We do own the land, but costs would have been \$1 million for the site adjacent to the jail, \$1.5 million for the site south of the farm, and \$2 million for the plateau site. A meeting was held in Westmoreland and the delegation voted for the plateau site. A public hearing was held in Westmoreland and we were asked to reconsider because the Aldrich property was available. The Commissioners and the County Administrator were directed to look into it. The Aldrich property meets our physical concerns, location and it falls within our budget. That brings us to the meeting we held several weeks ago in which the city council asked to meet with the council so everyone would hear the same history as to how we got to where we are, and to give the opportunity for any sites available be brought forth to be looked at. This has been a five-year process.

In conclusion, Chairman Dexter stated that every site we have looked at has fallen under the same concerns, topography, geography, building design, layout, appearance, and access to utilities.

Chairman Dexter asked the Mayor if he would like to speak.

Mayor Blastos welcomed those who had attended. He acknowledged the presence of Senator Tom Eaton. The Mayor asked Rhett Lamb of the Planning Department to speak to some of the concerns regarding that site.

Rhett Lamb described the Black Brook Site on the map and its location, which is 5 miles from the Cheshire County Courthouse. He reviewed some of the water and sewer utility studies done. The conclusions are there is adequate capacity for additional connections for both sewer and water system. Water pressure may be an issue north of Forge Street, depending on the elevation of the building. Sewer capacity downstream of the Corporate Park should be evaluated. Formal utility studies should be completed to confirm the initial analysis. From a planning point of view, they are recommending that the city preserve adequate utility capacity for all future build out for the entire corporate park before allowing any future connections unrelated to that development. He reviewed the site plan needed for the jail, which includes four pieces of land. The footprint is big, sitting on several acres. There are wetlands on two sides and steep slopes on the other. The third side of the site is the entryway. He stated that the site designers are doing their best to fit the building on the grounds with the shape of the land. The building requires extensive site work, including the removal of hilltops and filling low areas to create usable flat land. In the southwest of the site, a 35-foot hilltop will be removed. In the northwest portion, a 25-foot hilltop will be removed. On the other side facing the downhill slope, a 25 feet of fill and 20 feet of fill are typical. On that same side, an extensive slope 35 feet high will be needed to hold up the embankment. Because of the large terrain operation, the impact from other locations in the city was viewed. It was concluded that when entering Keene from the Westmoreland end of the city, the visual effect would be minimal. A three dimensional view analysis from Wyman and Walpole Road indicates there would be a direct view of the site because the building and site are viewed from the crest of the hill.

There are three lots in Black Brook North; one of these sites being approved by the Planning Board for development. The owner, Environmental Alternatives Inc. received approval for a 10,300 square foot office/warehouse within the last six months. That site, once developed, would have an estimated assessed value of \$800,000 to \$870,000. Four other sites in Black Brook North have been developed, Interpak site, the NH Forest site, the Electronic Imaging site, and the former site of Benson Woodworking.

Rhett Lamb proceeded to give the history of the land development. In 1990 we were looking at a recession. Between 1990 and 1993 a master plan for economic development was established. One of the goals was that public and private sectors work together to strengthen Keene, and an effort made to attract new industry to Keene. Specifically, the goals were to increase the industrial acreage by 300 acres in 15 years and 650 acres in 30 years; increase the percentage of the tax base of industrial users from 10 percent to 20 percent; create 500 to 1000 industrial jobs. The plan called for city investment in infrastructure, which would support industrial growth. In 1994, they adopted a primary goal to support an economic master plan and implementation of the Wyman Road industrial area for development, which included water, sewer and road. Land for development was identified, and new zoning adopted. Land from Summit Road along Wyman Road, up Route 12, was rezoned to corporate park. In 1995-1996, a \$4 million bond was issued by the city to relocate and extend road, water and sewer. The initial phase of construction was completed in 1996. The first large development, Sims Portex, was completed in 1997. Black Brook North utilities were installed in 1997, and the first new industrial building was built.

Rhett Lamb stated that since 1996, three new roads have been built with corresponding utilities; 430,000 square feet of corporate park development has been completed; \$26,000,000 in new assessed value; and an estimated 1400 to 1500 new or relocated jobs, most of which are industrially oriented. Development of this plan is currently generating revenue over and above the amount necessary to repay the bond. Excess revenue goes to the general fund.

There are currently other development sites in Black Brook that we hope will be developed. He indicated this area on the map for the group. This total is close to 200,000 feet of additional development on top of the 430,000 previously referred to. The city has met its goals, but still has a long way to go to reach the potential of Black Brook Park, to bring in businesses and to generate jobs. It was and is a well planned collaborative effort by the city, MEDC, private companies and others. The project is a model for success and how to do it right. Black Brook is the economic engine that the city was planning.

Rhett Lamb proceeded to give details on the Black Brook North area. The proposed jail site property was purchased by MEDC in 1996. MEDC applied for CDBG funds to expand the roads and utilities. The project was funded by a million dollars of federal grants through CDBG and other loans and payments. The total commitment in this area was \$1.4 million. The purpose of the CDBG funds was clear, to construct water and sewer lines, roads and other structures necessary to make small industrial sites, like the MEDC property, and thereby provide employment for persons of low and moderate income households. This is language from the 1996 subrecipient agreement between the city, the state and MEDC. There is an expectation that the city has a long-term responsibility to see that this agreement is followed. There is also an expectation between businesses and other property owners in the corporate park that other developable land will be developed. The bottom line is that the site was always envisioned as land set aside for future industrial development and use as a jail runs contrary to that.

Chairman Dexter asked the Mayor if he had input into any sites that the county could consider for this project. Mayor Blastos stated that he did, there were three sites that were already mentioned, the Hill property, the Thomas Property and the old landfill on lower Main St. The last site is not something the city believes should be developed because it is a contaminated site. If the county wanted it, and wanted to reclaim it, it is worth their reconsideration. The Mayor stated that the city passes it on as is, where is, and would not participate in any of the clean up.

The Mayor stated that he wished to address the corporate park site. He stated that all of the towns in Cheshire County benefit because of the employees working in that park. The Mayor stated that the city assured those that developed there that further development would be compatible, in keeping with what they have invested. The Mayor stated that his numbers are more elaborate than the planner said, showing there is over \$40 million in assessed value, contributing over \$1 million in taxes. It would disrupt the harmony there, and it would dishonor the city's word by going back on what the city assured them they would be protected from. He stated that the Commissioners repeatedly have stated that the jail belongs in Westmoreland, and he understands that the

Commissioners are the boss of the county, elected by the people to oversee the operations of the county. He understands that the purpose of the delegation is to make ideas and suggestions and control the purse strings.

Referring to minutes from the Cheshire County Delegation's past meetings, the Mayor stated, the delegation rejected this site, the Commissioners stated that it belongs in Westmoreland. On Sept. 9, 2004, Rep. Dexter explained that 30-40 sites were reviewed and that the committee's final decision was that the best solution was to leave the jail in Westmoreland on county property. At the Sept. 9 meeting, Rep. Hunt stated that it would be a waste of time to contact the abutters and it was too close to the existing facility to warrant the development costs, gaining only six or seven miles and Rep. Allen was concerned about high-speed roadway. That site failed on two votes.

The Mayor continued. You have had studies, one by the National Institute of Corrections, dated Aug. 6, 2001. This addresses community services. At one time, we were hearing that we have to supply services to the inmates. There are too many repeat offenders and it would help them if they were located closer to the population. This reports states that the community, meaning the jail site, believes in reaching into the jail with community services, as opposed to cutting the inmates off from community services. Approximately 100 volunteers have access to the jails. Many programs and services take place there, despite the limited space to accommodate them. Just think what you can do if you expanded the facility right then and there, they could meet all their particular services. The Cheshire County Corrections Master Plan stated that the average length of stay in 2002 is 27 days. The Mayor stated that he does not know how much rehab can be done in 27 days. So to bring this facility closer to Keene for services does not meet the argument. I also do not understand why it is not easier for counselors to go to the jail site and give services versus having all the jail inmates to come in. I understand that on any given day only 13% of the population are incarcerated, the rest are already in the community working at jobs.

The Master Plan stated that they were concerned about Protective Custody detentions, which means if you are drunk they take you in, let you sober up and go home. Local officials need to examine this issue, particularly if a new facility is constructed closer to the population of the county. A closer facility will undoubtedly result in more Protective Custody bookings. Closer to the city, the more arrests, the more bringing them in, the more expense to us. It makes no sense to locate a jail site six miles (from the present site), we gain nothing and it costs us more. You stated you need four willing buyers, you do not have four willing buyers. MEDC has withdrawn their piece of property, therefore you have lost one of your corners. You said that you do not want to take it by eminent domain, I take you at your word for that, the Mayor stated.

The Mayor said that Chairman Dexter would like to entertain a motion on three proposed sites that the city is bringing forth. The city is bringing three old sites forward for re-review, the Thomas property, the Hill property and the landfill.

Chairman Dexter asked for a motion to form a joint subcommittee, made up of five members of the delegation and five members of the city council, to be appointed by the chairs, to review the sites discussed tonight. He stated that the current Westmoreland site could be looked at, as well as the Black Brook site, to be reviewed by both sides, the Thomas property, the Hill property, the old public works site, and any other site the committee may come up with, reporting back in 60 days from tonight.

Councilor Parsells moved that the Keene City Council authorize the Mayor to appoint a five member committee of city Councilors to join with the five county delegation members to form a joint committee for the express purpose of exploring additional site options for the locating of the Cheshire County jail facility, and to report back to this body within 60 days, seconded by several Councilors.

Discussion followed. Rep. Robertson asked if we are talking the public works site, are we talking about all of it. The Mayor stated that it does not include the front five acres that have already been committed to Cheshire Tire, an agreement having already been signed, they have already purchased that particular property. Of the 30 or 40 acres

left, the city would retain about half of that for city use for snow storage, equipment storage, and the county would have 20 acres, and the county is only looking for ten acres.

Rep. Hogancamp stated that since this is a county facility, why is the City of Keene included in any decision on locations outside of Keene. Administrator Wozmak stated that this process has gone on for several years, and it was a Commissioner's jail site selection committee, it was comprised of selectmen from the towns, (Swanzy, Marlborough, Keene, Westmoreland) who met the initial criteria with respect to access to services, distance to court, utilities, so any community subject to having a jail in their community was invited to be a member of that committee.

Councilor Greenwald asked what kind of power would the committee have, and will the delegation actually listen to what comes out of this committee. Chairman Dexter stated that he knows the hard work done in trying to come up with a solution to this, and Rhett Lamb's presentation indicates that the city has the same concern, and he believes that the members on each side will act honorably and come forward with a solution that both sides will agree to. Councilor Greenwald asked if there is a commitment from the delegation to actually listen to what comes out of this committee. Chairman Dexter reiterated his belief that each side will do their very best to come forward with a solution.

Rep. Weed asked about the environmental issues at the public works site. The Mayor stated that there has never been a study conducted of what is in the ground, the city knows that it was a landfill at one time and that it is still there. The city does not recommend it, and they have done nothing to improve it. The front five acres was alleviated so that it passed the state and federal requirements, it is a clean piece of land and that is the land that Rob Noyes from Cheshire Tire will be buying. This is why the city has repeatedly discouraged this site, because it would cost millions to clean it up. Administrator Wozmak stated that there is a report that was sent out in 2003 to the members of the delegation jail committee, jail site selection committee, the delegation and the Commissioners on the landfill. The county received approximately 700 pages of engineering and survey reports that the city had regarding the site and the history of the landfill. He reviewed all 700 pages of that report and issued his report on Dec. 12, 2003. The County Administrator also spoke to someone at the State and did a brief assessment of the possibility that this land could be reclaimed for the purposes of a jail. It is virtually all negative, and it would be tremendously expensive. The county has copies of that report and will reissue the report to the members of the delegation and the city council. The report indicates that the waste is between 10 and 38 feet deep and it is consuming virtually all of the property the city represents. They do not want to use it for any purpose because of this, and the County Administrator does not recommend this site. Chairman Dexter stated that this would be discussed by the committee formed tonight. He also wants to clarify that although there are five voting members from each side, other members of the delegation and the city council can participate in the meetings, so that those questions can be answered.

Rep. Allen asked if all the sites have been looked at already. Chairman Dexter stated that they have been, but things change. The physical shape of the facility has changed, and as those things change, and could continue to change, with the county coming out with a solution they are more content with, with an emotional topic, it is best that they be revisited.

Councilor Phillips stated that the county also looked at Black Brook and rejected it and looked at it with new eyes, and we can look at these sites with new eyes. The problem we are all trying to solve is space and accessibility and moving five miles and still needing transportation and there being nothing in the vicinity, she doesn't think resolves the problem. She stated that she knows it is not just that the council members she speaks with who do not want it in Keene, but that it is in a terrible place in Keene. Something to consider is that the only land available is that which is owned by the county, not having to worry about buyers, or other things like wetlands or topography is the land we already have, and that should be considered.

Rep. Tilton stated that she does not think that is an accurate assessment of the land in Westmoreland. She stated that if we eliminate the public works from the list of sites, are we going to do engineering work on those sites again. Administrator Wozmak stated that we would do whatever engineering work is necessary and indicated to answer the questions that need to be answered to make a decision. Rep. Tilton asked if Keene is going to share in the costs, since we have done it already. Chairman Dexter stated that since we have already done this once, we already have a great deal of that information. **Rep. Tilton stated that she would like to amend the motion to require a response by March 28, since so much of the information is already available, the motion was seconded by Rep. Pratt.** The Mayor stated that he could not appoint the five members until next weeks meeting. Rep. Eaton stated that in trying to work together and in a spirit of cooperation, the city needs some time to get their committee appointed working within their rules and framework and if we rush this, it will have that perception of rush, and he hopes everyone votes against the amendment. **Rep. Tilton withdrew the motion.**

Rep. Chase suggested that if this committee is looking at former sites, they also look at the Bardwell property and also think of terms of a county campus, looking beyond the immediate needs of the county, additional court space, sheriffs, and the register of deeds space needs. Chairman Dexter stated that the motion includes any appropriate property and it was not site specific. The Mayor stated that he wishes to limit the sites to Keene because that is what the council could have input on. Rep. Eaton stated that the delegation has the right to consider any site in the county, the city will bring forth sites in the city for the committee interest. Chairman Dexter stated that Westmoreland would be excluded from this motion since only the delegation makes a decision for any site outside of Keene.

Rep. Pratt stated that he is hoping the committee is open minded because the delegation has already voted for the Black Brook property as the site chosen, with only one vote against it. He assumes that Black Brook is still on the table and will be given the same consideration as other sites, and if that is not the case, he hopes someone from the city council will say so. He assumes that we still own the land next to the courthouse and that there is no reason why the jail could not be put on that land, and he believes it should seriously be considered. Rep. Pratt stated that Commissioner Davis once said that the only way to get the jail is to build a campus, build a court, move all facilities to that complex, and move the county seat to that location, possibly in Keene, possibly somewhere else. He asked if the Mayor and the committee consider Black Brook a viable site in this discussion. The Mayor stated that they do not consider it a viable site, but they would not preclude discussing it.

Rep. Roberts stated a decision needs to be made based on what is best for the organization. If the jail had gone through last year, it would have cost the county \$36 million, if we go to next year, it will be \$60 million, inflation, and interest rate. The committee needs to keep an open mind and do what is best for the county, be open-minded and not keep delaying it because the taxpayers are going to pay for the delays. He stated that he does not believe a solution is going to come up in 60 days. If Black Brook is the best way, he will vote for it, if it is somewhere else, and it is the best solution, he will go forward. The Mayor asked what the cost would be to build in Westmoreland. Rep. Roberts stated it would be \$29 million. The Mayor asked would it not it be cheaper in Westmoreland. Rep. Roberts stated that the numbers he is quoting is with interest costs. Rep. Eaton called a point of order and stated this is not a debate forum. We are in a mode of debating a committee established to select sites. Rep. Parsells stated that he wanted to point out that the Mayor identified that Black Brook is no longer on the table and that the county stated it would not exercise eminent domain. Chairman Dexter clarified that the county does not want to exercise eminent domain, but it is always an option to us. It is not the way we want to do business, but it is always an option to us. It was nearly a unanimous vote of the delegation to go to Black Brook. He does not believe that the delegation would support taking Black Brook out of the debate.

Rep. Robertson stated that if the city sells us the entire public works property, we would let you put snow on it, but we can negotiate with Mr. Noyes on the sale. The Mayor stated that he would be open to any opportunities to develop that land but he cannot speak for the entire council but he would take the request seriously and bring it up to the council. Rep. Pratt asked if there were to be two separate motions or one. A short recess was taken in order to formulate a single motion for the subcommittee.

Rep. Hogancamp moved to form a subcommittee consisting of five members of the delegation appointed by the chair of the delegation and five members of the city council, appointed by the Mayor, to review sites discussed tonight, including the Hill, Thomas, public works, Black Brook and other appropriate properties and report back within 60 days to the joint committee of the city council and delegation, seconded by Rep. Weed. Rep. Pratt asked what the committee is going to do. Rep. Eaton stated that it would formulate recommendations to bring back to the city council and delegation as to appropriate sites to go forward with. Rep. Allen asked about review of properties already reviewed when nothing has changed. Mr. Hill has since died and the family is interested in selling that property, Rep. Dexter said. Rep. Espieffs stated that the justice of the Supreme Court has been to this area and he does not want a jail and a court to be on the same property. We need a piece of property large enough for the jail and a future extension.

Councilor Parsells stated that perhaps representation is needed from surrounding towns, Westmoreland being the prime site, needs to be considered, and if the committee needs representation from surrounding towns, so be it. Chairman Dexter stated that this committee is in charge of the sites listed, the delegation has the responsibility to ultimately make the final choice and he reminds the city council will not vote on that specifically when that is called.

Rep. Pratt moved that the motion be amended to state "**and other appropriate properties in the City of Keene**", both Reps. Hogancamp and Weed agreed to the amendment. The roll was called. **Motion carried with a delegation vote 20 for and 2 votes against.**

Councilor Parsells withdrew his original motion. Councilor Parsells **moved to form a subcommittee consisting of five members of the delegation appointed by the chair of the delegation and five members of the city council, appointed by the Mayor, to review sites discussed tonight, including the Hill, Thomas, public works, Black Brook and other appropriate properties within the City of Keene, and report back within 60 days to the joint committee of the city council and delegation, seconded by Councilor Jones.**

Councilor Jones spoke in support of the motion. **Roll call vote was taken and motion passed unanimously.**

Chairman Dexter appointed Reps. Dexter, Eaton, Hunt, Robertson, Richardson to the committee.

Mayor Blastos reminded both committees that there would be a general legislative informational meeting on March 21 at 6:30 at city hall to discuss any legislation that may be pertinent to the region. Chairman Dexter announced that there is a delegation meeting on March 28 to discuss the budget. He thanked all who were present tonight and all their hard work and efforts.

Rep. Eaton moved that the meeting be adjourned at 8:42 PM.



Barbara Richardson, Clerk for the County Delegation



Patty Little, Clerk for the City of Keene

MINUTES
Cheshire County Delegation
Public Hearing
Monday, March 28, 2005 7 PM

Jury Assembly Room, Courthouse, Keene, NH

PRESENT: Representatives Allen, Butcher, Butynski, Dunn, Dexter; Eaton; Espieffs; Foote; Hogancamp; Hunt; Mitchell; Parkhurst; Pelkey; Plifka; Pratt; Richardson; Roberts; Robertson, Sawyer; Tilton; Weed; Commissioners Zerba, Sistare and Moore; County Administrator Wozmak; Terry Warren Ex. Asst. to Commissioners.

Chairman Dexter opened the public meeting 7 PM on the proposed Cheshire County jail. Chairman Dexter asked that everyone recognize the three minute statement rule and not to repeat testimony given previously.

Chairman Dexter recognized Commissioner Zerba, who reviewed some of the anticipated costs on jail siting. The cost of additional reviews would be approximately \$200,000, and along with the \$500,000 spent, prompted their statement that was mailed to the delegation on March 25. This statement and footnotes is attached and is incorporated into the minutes by reference.

Rep. Roberts stated that in regard to the memo, there were no signatures on the memo so he does not know who sent the memo, if it was an error. He also stated that he feels the Commissioners have not done their job in presenting a site.

Rep. Eaton explained that there is a meeting of the Delegation and the city Council and he feels it would be best to wait until the meetings are completed, which should be done in 40 days, in order to keep faith with the City of Keene. He stated that he does not feel comfortable voting on a bond issue, giving the Commissioners carte blanche when they have already stated where they want the jail to go.

Rep. Sawyer stated that he feels it is the delegation's duty to authorize funding for the jail and the Commissioners should be choosing the site.

Rep. Pratt agreed with Rep. Eaton.

Rep. Robertson stated that it was the recommendation of the consultants and city support services to have the jail closer to Keene, for jobs, family, services, hospital, etc. If these are not important, someone should tell the delegation. He wants more of a rationale to site the jail in Westmoreland, other than it is becoming a difficult situation.

Chairman Dexter said that he believes the Commissioners are willing to wait for the joint meeting of the Delegation and the Council.

Rep. Weed referenced several RSA's regarding the responsibilities of the Commissioners and the Delegation and he disputes that it is the Commissioners right regarding site selection. He feels that the RSA's are not so clear cut as to who is responsible.

Commissioner Sistare addressed the group stating that a lot of work has been done in the past five or six years. In 2002 there was a committee established with delegation participation in the search for the jail site. He said that the Commissioners have looked at alternate sites closer to Keene, but it has not worked out. He feels that a half million dollars searching for a site is enough and more money should not be spent. The inmates provide labor for the jail and the nursing home, and it would cost the county an additional \$250,000 a year for labor. He quoted the RSA, which stated that it is the authority of the Commissioners to determine the site.

Rep. Hogancamp stated that as a new member of the delegation, she was only advised that the jail would be built in Keene. She asked for the full history of the decisions on the jail.

Administrator Wozmak stated that the Commissioners have always wanted the jail in Westmoreland. The Delegation rejected the recommendation and sought for different sites.

Rep. Dunn stated that he approved the change to go to Westmoreland and it was based on the guidance recommended by the Commissioners.

A resident of Westmoreland asked where it is cited that the jail should be within 5 miles of Keene. Administrator Wozmak gave some of the history on the process from the beginning. He stated that the concept of five miles from Keene was an evolving process. The National Institute of Corrections report stated that the site should be within a ten minutes drive from services for the inmates. A scoring schedule was prepared in order to evaluate the sites, and a more central location was one of the categories to be scored. He stated that Joe Manning was very much in support of the jail being centralized because the Westmoreland site is so far from towns located on the other side of the county.

After review of several sites, the Commissioners decided that all things considered, it would be easier to stay in Westmoreland. Then the Delegation established a committee and decided to look at other sites. Since that time, the Commissioners have not had any input and have allowed the effort to proceed in the hopes it would result in something. They did not want to be disagreeable or adversarial.

Chairman Dexter stated that he was on the committee looking at sites within the five-mile distance from Keene. Since no property could be acquired at a cost the county was willing to spend, and that is when the Delegation agreed to go back to Westmoreland. Then the Delegation decided that they should rescind the vote because it was felt that there were other alternative sites available sites closer to Keene. Then the Aldrich property was looked at as a potential site. From there, the Delegation then offered to work with the City to find alternate sites in Keene.

Commissioner Zerba stated that in February of 2004 the vote was to locate in Westmoreland. In September 2004 that was rescinded and the Commissioners were to re-look at the Aldrich site that had previously been voted on not to look at any further. The engineers thought that the site was tight to work with, but looking at topographical maps showed that a combination of four properties would make sense. The Commissioners did not recommend it, but reported the results of the report and the Delegation stated that is the site they want. Negotiations started. That was October 2004, and now it is March 2005 and we still do not have a site.

Rep. Eaton stated that there was a new delegation to work with the issue and they have in a short time worked towards a resolution. The committee is working with the City on every possible site available in Keene with GIS mapping of the city, of sites of 10 acres or more. There are 40 days left to the agreement date established and hopefully they will come up with a solution that will satisfy everyone.

Commissioner Zerba stated that the Commissioners are willing to wait until the Delegation-Council subcommittee completes their study.

Rep. Robertson explained how he found the Aldrich site and that he went forward to discuss availability of the land.

Rep. Pratt moved that we close the public meeting, Rep. Eaton seconded, voted unanimously.

As there were several members of the public who had not spoken, the Delegation decided to reopen the public hearing. **Rep. Robertson moved to reopen the public hearing, Rep. Butynski seconded, vote was 19 in favor and 2 against.**

A resident of Westmoreland urged that the cooperation between the city and the Delegation continue. She stated that the jail should be closer to the court system and services and she hope the Commissioners will move forward with a site in Keene.

Bruce Clement feels that it was a poor strategy for the delegation and commissioners to state that they did not take any property by eminent domain. He believes that the Delegation should not vote on the \$29 million bond vote.

Helen Clement stated that it seems that the Commissioner's decision is political. She feels that the Commissioners are making their decision because of pressure from the city.

John Harris stated that the issues come down to issues of convenience, but we should be looking at what we can do for the inmates. He believes that the inmates can be helped to be better members of society by making services more available.

Commissioner Sistare stated that the Commissioners decision to locate in Westmoreland was not a political decision. The County has spent \$500,000 on a search, considering the time lost, and the addition of \$6,000,000 to the project is what they are looking at.

Sarah Bonneau of Westmoreland stated that it is not a NIMBY (not in my back yard) issue. It is because the jail belongs in Keene, which would make the inmates closer to services.

Rep. Eaton moved to close the public hearing, Rep. Tilton seconded, voted unanimously. Meeting closed at 7:53.

Chairman Dexter moved to open the delegation meeting at 8 PM to discuss the budget and other issues.

Rep. Dunn made a motion to raise and appropriate a sum not to exceed Twenty nine million dollars (\$29,000,000) to finance the design, construction and equipping of a county correctional facility, such sum to be raised through the issuance of bonds or notes pursuant to the provisions of RSA 28 and RSA 33, as amended, to authorize the County Commissioners to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof, and to take any other action or pass any other vote relative thereto, Rep. Eaton seconded. Discussion followed.

Rep. Hunt urged the committee to vote against the motion until we have found a site.

Rep. Allen moved to table the motion, Rep. Eaton seconded, vote was 20 yes and 1 no. Motion was tabled.

Rep. Pratt moved to approve the 2005 budget of \$26,518,457, Rep. Hunt seconded. Discussion followed.

Rep. Eaton moved a *friendly amendment* to increase the budget by Two hundred thousand dollars, (\$200,000) to the Capital Improvement line, 0.4900.89.12, to finance the continuing work on the jail project, bringing the total to \$26,718,457, Rep. Allen seconded. Chairman Dexter reviewed the costs that may be incurred if we need to continue doing work on jail site search. Discussion followed. Roll call vote was 18 yes, 3 no. Motion passed.

Rep. Pratt moved to amend the 2005 budget by adding the sum of \$50,000 to account 4110.20.00, Rep. Eaton seconded. Roll call vote of Rep. Pratt's motion resulted in a vote of 11 yes and 10 no. Motion passed.

Rep. Pratt explained that if this motion passes, he will make a second motion which authorizes the Delegation Chairman, the Executive Committee Chairman and the Delegation Clerk, acting jointly, if they deem necessary, to retain the services of a competent attorney to represent the interest of the Delegation and the County Convention in the event that any attempt is made to usurp, undermine or circumvent the authority of the Delegation, and to direct the County Treasurer to draw upon the funds contained in Account #4110.20.00 for such legal services as may be required. Rep. Eaton seconded. Rep. Pratt explained that this is a prudent step to have funds on hand to defend the delegation's powers and rights and responsibilities in the event it becomes necessary.

Rep. Eaton moved to approve the amended budget of \$26,768,457, seconded by Rep. Hunt, roll call vote resulted in the motion passing, 20 yes and 1 no.

Rep. Eaton moved to accept taxes to be raised from city and towns for 2005 in the amount of \$11,990,941, Rep. Pratt seconded, roll call vote resulted in motion passing, 20 yes 1 no.

Rep. Eaton moved to authorize the Register of Deeds to expend surcharge funds in the amount of \$11,500, Rep. Hunt seconded, roll call vote resulted in motion passing, 20 yes 1 no.

Rep. Pratt made a motion which authorizes the Delegation Chairman, the Executive Committee Chairman and the Delegation Clerk, acting jointly, if they deem necessary, to retain the services of a competent attorney to represent the interest of the Delegation and the County Convention in the event that any attempt is made to usurp, undermine or circumvent the authority of the Delegation, and to direct the County Treasurer to draw upon the funds contained in Account #4110,20.00 for such legal services as may be required. Rep. Eaton seconded. Discussion followed. Rep. Pelky stated that he felt this motion sets up the delegation for an extremely adversarial role. Rep. Pratt stated that with the action of the Commissioners over the past 72 hours, we would be unwise if we did not place ourselves in a defensive position.

Roll call vote of motion resulted in a vote of 14 yes and 7 no. Motion passed.

Other business

Rep. Butynski asked that the delegation support HB 517, which provides for a one-year study and moratorium on burning and incineration. This is particularly important to Hinsdale because of the proposed Genpower plant. He learned this afternoon that Genpower will ask for a floor amendment that would make an exception for the Hinsdale study. He requests that they vote no on the floor amendment.

Meeting adjourned at 8:40 PM.

Barbara Hull Richardson

Minutes approved by phone 4/7

Barbara Richardson, Clerk

Text of Commissioner Zerba's statement follows:

With the initiation of another jail site search committee by the Delegation, the county is poised to expend perhaps another \$200,000 on further site evaluations. This amount is in addition to the \$500,000 of taxpayer money already spent on the selection process.

In addition, the estimated cost of construction has increased by at least \$6 million since the consultant's report of December 2002. Out of concern for the tremendous time and expense associated with this process, and out of concern for the urgency of a new jail, the Commissioners must insist that the delegation vote to authorize a bond in the amount of \$29 million on March 28th.

We believe all officials involved in this decision agree a new jail for the county is necessary. It is the firm belief of the Commissioners, based upon site evaluations that the best site is on county-owned land in Westmoreland.

The Commissioners now feel obligated to either inform or remind the Delegation that both statutory and case law states that it is the Board of Commissioners who are legally empowered to chose the site and construct the building¹. The Delegation's role is to authorize the funding². This has been enumerated in many Supreme Court decisions since at least 1870. Further, the Board of Commissioners initiates any eminent domain proceedings, and this Board does not see the need for this action when the county already owns a suitable site.

It is the view of the Board of Commissioners that this issue must be resolved without further delay and that the Delegation must understand that the Commissioners intend to take any and all actions necessary to end the debate over where the jail will go³. Therefore, we respectfully ask once again for the Delegation to fulfill its statutory role to authorize funding for a new jail this evening, and allow the Board of Commissioners to fulfill its statutory role to choose the site and manage the construction of the building⁴.

It would be our intent to await the results of next Monday's meeting of the Keene City Council and Delegation Subcommittee before making any final decision. Thank you

¹ “The choice of the site of the new county courthouse and the erection of the building are within the authority of the commissioners” Cheshire County Convention v Cheshire County Commissioners, 115 NH 585 (1975). “The choice of the site and the erection of the building are within the authority of the Commissioners.” Fortier v. Grafton County, 112 NH 208 (1972). RSA 28:7 enables the commissioners to *erect* such buildings when authorized. See also O’Brien v County of Rockingham, 80 NH 522 (1923) stating “The county convention in the absence of special legislative authority has no power to appoint a committee to act with the county commissioners in the performance of duties committed to them” citing Brown v. Reding, 50 NH 336 (1870). See also Brown v. Grafton County, 69 NH 130 (1896).

² “The authorization of the project and the appropriation of the money needed are within the authority of the convention” Cheshire County Convention v Cheshire County Commissioners, 115 NH 585 (1975). RSA 24:13 empowers the county convention to appropriate capital and issue bonds for the erection of county buildings. “The convention may raise taxes and issue bonds for these purposes.” Brown v. Reding, 50 NH 336, 343 (1870).

³ “. . . this court has jurisdiction to interfere, by way of injunction, to restrain public functionaries who are exercising special public trusts or functions, in cases where they depart from the power which the law vested in them, and assume power over property which the law does not give them.” Brown v. Reding, 50 NH 336, 340 (1870).

⁴ “The county [convention] could have had nothing to do with the erection of the buildings. The county convention could authorize their erection but the building could be erected only by the commissioners.” O’Brien v County of Rockingham, 80 NH 522 (1923). “. . . the county convention had no authority to appoint or choose this building committee . . . and that, therefore, their acts in relation to the same are utterly void. . .” Brown v. Reding, 50 NH 336, 338 (1870).

MINUTES
Cheshire County Delegation and Keene City Council
Jail Site Subcommittee
Monday, April 4, 2005 7 PM
Keene City Council Chambers, Keene, NH

PRESENT: Representatives Eaton; Robertson; Pratt; Hunt; City Council members Robert Farrar, Angelo DiBernardo, Jr., Mitchell Greenwald, Cynthia Georgina, Frederick Parsells; Alternate Reps. Roberts and Hogancamp and Rep. Butcher, Dunn, Emerson, Plifka, Tilton, Weed, Espieffs, Butynski

Representative Eaton called the meeting to order at 7 PM.

Representative Eaton made an opening statement regarding the cooperative fashion of the delegation and city working together and that they have invited the Commissioners to be part of the jail selection process. The City Council members endorsed the invitation.

Rep. Robertson recused himself from the committee due to the fact that two properties he owns or his family owns are on the list created by the city planning department.

Councilman Farrar opened the discussion regarding the nine sites found through the city planning department GIS system, which are being presented for consideration. The sites shaded in dark gray on the list are the preferred sites. He deferred to Rhett Lamb for an explanation of the process.

Rhett reviewed four of the sites, which included 580 Main St., the Hill property on Rt. 101; the Thomas property on Rt. 9 and 10, and the Black Brook site. He reviewed the criteria established for the site search. These included 10-20 acres, flat; municipal water and sewer, utilities; soil conditions; development minimal; close to services; zoning compatible; close to family and court system; a perimeter buffer to enable expansion in the future. He used the criteria listed in the county's "First Call" for properties, published in the Keene Sentinel.

There were two exceptions implied, the list was not limited only to property that are for sale in the city. Also, they did not include conservation type properties. There were slopes with a grade of up to 15%, which is important because access to the property is important.

The nine sites presented by the council included: Rose Lane; Graves Road; off Chesterfield Rd; off Rt. 10, two sites; 580 Main St., the Hill property; the Thomas property and Black Brook; and West Street behind Hannaford's Supermarket.

Each site was reviewed.

1. Rose Lane is an industrial site; off Route 12, consisting of two parcels: 2.4 acres owned by Lane Construction and 4.3 acres owned by the NH Department of Transportation.
2. Graves Road; off route 101, two pieces, 13.3 and 13.4 acres, owned by Robert Beauregard.
3. Off Chesterfield Road, 19.7 acres owned by James Robertson but does not have immediate access to water and sewer.
4. East Beaver Brook Dam, off Route 10, two potential sites: 24.2 acres owned by Jeffrey Russell with 13.4 acres owned by Anita Jacques, and the Jacques and Russell land with 13.3 acres, owned by Francis Lafreniere.
5. 580 Main St., the former Keene Public Works land, 30.5 acres owned by the city.
6. The Hill property, off Route 101, 101 acres owned by Alan Hill.
7. The Thomas Land, off Route 10, three parcels, 181.47 acres, 5.19 acres and 85.5 acres, all owned by DLC Investments.
8. West Street off Route 9, 10 and 12, one parcel of 77 acres behind Hannaford's, owned by Realities Inc.

9. Black Brook North, off Route 12, four parcels of 11.19 acres owned by MEDC, 73 acres owned by the Borden family, 4.34 acres owned by the Norton Family and 25.5 acres owned by the Aldrich family.

Rep. Hogancamp asked if the city contacted the owners.

Rep. Eaton asked if specific criteria were used, which ruled out other sites. Rhett Lamb responded that the choice of sites used common sense that ruled out sites that were inconsistent with the master plan, among other reasons.

Rep. Eaton asked about the old drive in land on Optical Ave at Rt. 101. Rhett stated that it is 8 to 10 acres.

Rep. Pratt asked if the criteria established by the Commissioners should be revised.

Rep. Butynski thanked the city planning department for their work.

General questions were asked.

Rep. Tilton asked about the Ellis Farm.

The next meeting is scheduled for April 19, 2005 at 7:00 PM with the location to be determined.

Respectfully Submitted,

Jack Wozmak,
Clerk, Pro Tem

Minutes distributed at the April 19 meeting with no changes requested.

MINUTES
Cheshire County Delegation and Keene City Council
Jail Site Subcommittee
Monday, April 19, 2005 7 PM
Keene Public Library, Keene, NH

PRESENT: Representatives, Dexter; Eaton; Hunt; Pratt; Robertson; City Council members Robert Farrar, Angelo DiBernardo, Jr, Mitchell Greenwald, Cynthia Georgina, Frederick Parsells; Alternates Reps. Roberts and Hogancamp; Reps. Butynski; Espieffs; Tilton and Weed

Chairman Dexter called the meeting to order at 7 PM.

Rhett Lamb stated that he had further information on site 2 and submitted an additional site to the list, the old Keene Drive In site on Route 101.

Rep. Eaton moved to eliminate sites 3 (Chesterfield Road), site 4 (East Beaver Brook Dam), site 7 the Thomas land and site 9, Black Brook North, Rep. Pratt seconded, Rep. Pratt *amended the motion* to add two sites to the list, the Latchis Building and the Courthouse parking lot.

Rhett Lamb stated that the two sites being added clearly did not meet the criteria established by the Commissioners as they were both less than one-acre. Rep. Pratt stated that he is exempting these two sites from the criteria established. Rep. Eaton gave an overview of the establishing of the criteria. Rep. Dexter stated that the two sites fall into the "county property" criteria, even though they are in Keene. Theoretically, they are both buildable sites. Rhett Lamb stated that if the criteria changes, it would require a new process.

Rep. Robertson asked the city to come up with proposals. He stated that the county is responsible for assessing the feasibility of both the Latchis and the Courthouse property. Rep. Pratt stated that it is clearly within the purview of the delegation to consider this property as a potential site for the jail. He stated that the contents of his letter (that was sent to the Delegation and also the City Council) are self-evident.

Councilman Greenwald stated that 99% of one-story sites were submitted to the committee and it was difficult enough to do without the delegation changing the criteria established for the site selection. There was continued discussion on the original motion and **Rep. Eaton amended his wording to add "remove from review" and strike the word "eliminate"**. Chairman Dexter stated that the Commissioners would be the ones to make that decision. Rep. Eaton explained his reason for removal of the sites; site 3, expense, location and access; site 4, has a lack of utilities; site 7 lacks access to any utilities; and site 9 has some access issues but the bigger problem is that it consists of wetlands.

Rep. Hunt stated that it was interesting that sites are eliminated because of access to water and sewer and he is not sure that sites should be eliminated because of water or sewer services. Chairman Dexter stated that any site could have access to water, sewer and power for about \$1 million. Rep. Hunt stated that it would be \$2 million to upgrade the water and sewer at Westmoreland. Rep. Pratt asked if a consensus to the question was possible. Rep. Eaton recommended strongly the old drive-in site. Chairman Dexter stated that he does not recommend this site because it is valuable business/industrial development property.

Rep. Eaton stated that the drive-in site land is easy to develop. Courthouse development is a decade away, and the capital budget does not include any funds for the courthouse. It will take 2-10 years to have a possible combined court complex, Eaton said.

Rhett Lamb was asked if the drive-in was included, would the city be interested in supporting this site. Lamb said they have the same issues as with the Black Brook site, the city anticipates industrial development in that site also.

Councilman Greenwald stated that there has to be some sensitivity to not finding sites that aim for the heart of the city.

Councilman Parsells stated that he agrees with the economic benefit Keene brings to the county and using a prime industrial site would be shortsighted.

Rep. Pratt asked which is the number one site submitted or supported by the councilors.

Councilman Farrar stated that he did not think the city council should prioritize the sites. Commissioner Zerba stated that the Commissioners do not want to pick sites if they are not acceptable to the city. Councilman Farrar stated that he felt the drive in site inappropriate as the city is looking for industry to take that site. He further stated that the Black Brook North site is also inappropriate. He also said, residential sites should not be considered for this use.

Chairman Dexter stated that of the ten sites, the Thomas property was expensive to develop and had no utilities. He then went down the list of sites:

He stated that for the Rose Lane site, it may be impacted by the by pass. It is flat, has access to water, sewer and power, but asked if there is contamination. Rhett Lamb stated that he does not know but that it is not on the DES list. Chairman Dexter stated that potentially the site would meet the criteria. Rhett stated that it is zoned industrial. Rep. Pratt asked if it would interfere with development. The site is not attractive to corporate businesses. Commissioner Zerba stated that the site might be worthy of staying on the list of sites.

Rhett stated that site 2, the Beauregard property, would cost a medium amount to acquire. Commissioner Zerba asked about the Graves Rd site and the slope, and would not it be a significant factor to cut down trees and fill the site for construction. Rhett stated that he assumes there would be a cost premium for soil alteration. Rep. Eaton asked if there were narrow water mains. Rhett stated that the water pressure is capable of going up 600 feet, but this site is somewhat higher than that and additional pressure might be necessary. Dexter asked if the commissioners would keep the site on the list. Rhett stated that Graves Road is approximately a 12% grade and that intersection work might be required. Commissioner Zerba stated that he thought the grade is very steep. Rep. Pratt asked if the city is prepared to make improvements to Graves Road. Councilor Farrar said the city was prepared to live with the slope and would likely not be making changes to Graves Road. Commissioner Zerba stated that it would be lower on the list of sites because of the grade.

Site 3 on Chesterfield Road is on a hill; Site 4 on Route 9 and 10 north does not have access to water and sewer. Site 5, 580 Main St., Rep. Hogancamp stated that she does not see the county taking on someone else's environmental problems; there was a question about the fill, it was stated that some of what is buried there is ask, which is a solid waste issue and not as hazardous. There was a question about the DES process and the length of time it would take to develop a plan of remediation and have it approved by the state. Kurt Bloomquist said that on a similar project, he spent a year working through a plan to approval.

Commissioner Zerba asked if the type of waste is reclassified, does it change the financial impact. The response was that the money would still be in the millions. Rep. Pratt asked if the city is prepared to transfer the property with a clean bill of health. Councilman Farrar stated that he cannot give the delegation that assurance. Rep. Hogancamp stated that the county is not prepared to assume the liability of that site. Councilman Farrar stated that the site is not as contaminated as badly as they thought because the contamination plume is not moving. Rep. Hunt stated that you would not want to disturb the contaminated soil.

Councilman Greenwald stated that Water Street cost \$500,000 and took two years to assess and to get approval for the clean-up and re-use.

Commissioner Zerba stated that site (580 Main) would be on the bottom of the list. Site 6, the Hill Site, remains on the list as a viable site. Site 7, the Thomas site, would cost too much money for utilities and development. Site 8, the Black Brook site remains on the list as a viable site. Site 9, the property behind Hannaford is swampland and should be removed the list. Site 10, the old drive-in property, Commissioner Zerba yields to the city and takes this site off the list. Chairman Dexter summarized the conclusions reached: Sites 1, Rose Lane; 2 Graves Road; 5 580 Main, 6 Hill Property and 8 Black Brook North, and 10 the old drive in site, and any county property remain viable sites.

Councilman DiBernardo asked why county owned land is on the list. Rep. Eaton said that Valley Street (the Hillsborough County jail) functions and works on a similar site in downtown Manchester. Rep. Hunt stated that he does not see how productive it is for us to add these sites. We should be proactive, creating dialogue to keeps us forward-looking and not playing this poker game where someone has to get one up on someone else. It should be what we can all work towards. Hunt said the city is offering some options. Rep. Roberts stated that he hates to assume anything, and if there is waste present in the 580 Main St. site, the price should be reduced. Rep. Hogancamp stated that she is ok with sites 2, 5 and 6 and we should see what we can do to make it work. Rep. Robertson stated that he would not want to put a price on the Main Street site, we would offer \$1 and cleanup participation or other considerations on the 580 Main Street site.

There was a motion made to adjourn the meeting.

Rep. Tilton stated that she does not know why we went through this whole process of reviewing the sites. Rep. Hunt stated that we should have one more meeting with discussion on the data collected on the additional sites.

The delegation requested an information meeting with the Commissioners as soon as possible.

The next meeting is scheduled for May 10, 2005 at 7:00 PM with the location to be determined.

Meeting adjourned at 8:50 PM.

Respectfully Submitted,

Rep. Judson Dexter

MINUTES
Cheshire County Delegation
Monday, May 9, 2005 9 AM
Maplewood Nursing Home, Westmoreland NH

PRESENT: Representatives Allen; Butcher; Butynski; Chase; Dunn; Eaton; Espieffs; Emerson; Hogancamp; Mitchell; Parkhurst; Plifka; Pratt; Richardson, Roberts; Robertson; Sawyer; Tilton; Commissioners Zerba, Moore and Sistare; County Administrator Wozmak; Superintendent Van Wickler; Ex. Asst. Warren

Vice Chairman Eaton called the meeting to order at 9:11 AM.

The first item on the agenda is the county jail. Rep. Pratt stated that he thought this meeting was set to discuss the sites in Keene for the jail that are to be presented to the Delegation City Council Jail subcommittee. He brought up the letter from the Commissioners that included a letter from legal counsel regarding whether the commissioners or the delegation site the jail. He stated that since the letter does not state "sole exclusive" right, then the right does not belong to the Commissioners.

Rep. Sawyer stated that the Keene site is not available as he was lead to believe. He has read the RSA's and that the delegation authorizes the expenditure for a jail site, but the Commissioners determine the site.

Rep. Robertson stated that the delegation authorizes the funds but he will not agree to supply the funds unless the site is the right one.

Rep. Tilton thought that the meetings with the city counsel was established in order to find a better site in Keene.

Rep. Chase stated that he thought the meeting Tuesday night was to determine where the sites were.

Rep. Eaton stated that the meeting is to discuss a site in the City of Keene.

Rep. Chase stated that he believes the Aldrich property on Route 12 would be adequate for the jail and the drive in theater site would be adequate sites for consideration. He believes the Bardwell property be considered at this time also.

Rep. Butcher asked if there is anyone on the subcommittee who can give input into sites. Rep. Roberts stated that since every time a site is found someone undercuts us.

Rep. Dunn stated that the does not think the public works land is as polluted as some parties state.

Rep. Pratt concurs with Rep. Chase, Black Brook site and Optical Ave. site are equally good sites. He stated that he does not think the public works property should be considered. He stated that if the Bardwell property is considered, the future expansion of that site can be considered for all county departments. He also considers that the county owned land next to the courthouse is also to be considered and that should be presented at tomorrow's meeting.

Rep. Robertson does not think the committee has any recommendations. He believes that if we want any property in Keene we will have to take it by eminent domain. Rep. Hogancamp stated that this is a difficult decision and a sound decision is needed and the delegation needs to work with the Commissioners. Taking seven years to solve a problem is not acceptable.

Rep. Chase stated that he thought that a public hearing must be held and the several sites be put out as possible sites.

Rep. Espieffs stated that we should consider the situation as if we were a new county.

Rep. Tilton stated that we need to look at the situation as a long term issue.

Rep. Sawyer does not think the site of the jail should be determined by an editorial in the Sentinel.

Rep. Eaton gave an overview of the meetings of the jail subcommittee. He reviewed some of the sites discussed. He stated that the city originally had 72 sites and they narrowed them down to those presented. The subcommittee reviewed the sites presented and eliminated the Thomas and Robertson sites. Four viable sites resulted from the meeting and were given to the Commissioners to do a site review.

Rep. Butcher asked what is the issue with the water and sewer, and what is it in Westmoreland.

Rep. Parkhurst asked who makes the final decision on where the jail goes. Rep. Eaton stated that no decisions are made until the money is voted on. Commissioner Zerba stated that one of the criteria on the NIC list is that the site be within ten minutes of the courts. Administrator Wozmak stated that the capacity of the wastewater treatment plant can be increased at about a half million dollars. The water serves the needs of the jail also can be increased for about a half million dollars. Commissioner Zerba felt that the city had a concern for the industrial land available for the future. There was some discussion over the interpretation of the NIC report.

Rep. Roberts stated that we should not become slaves to the criteria given.

There was some discussion on the accessibility to meetings for inmates.

Commissioner Sistare reviewed the process of the jail construction process. He explained that the Commissioners are not interested in eminent domain.

Rep. Eaton stated that he does not think the city will state any preference of one site over another. **Rep Pratt moved that the delegation jail site committee present the Black Brook and former drive in property to the city council as future jail sites, and ask them to comment on it if they so choose, seconded by Rep. Chase.** There was discussion on the motion.

The Superintendent of the jail spoke to the services that are available to the inmates at the jail and recidivism at the jail.

Rep. Dunn moved the question to limit the debate, Rep. Parkhurst seconded, voted unanimously. **A roll call vote was taken and the motion passed 12 to 5.**

Rep. Eaton suggested that the Commissioners and members of the delegation get together to make a decision.

Meeting adjourned at 10:55 AM.



Minutes approved on May 26, 2005

Barbara Hull Richardson

MINUTES
Cheshire County Delegation
Executive Committee 1st Quarter Budget Meeting
Monday, May 9, 2005 11 AM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Allen; Butynski; Eaton; Emerson; Hogancamp; Mitchell; Pratt; Richardson; Robertson; Tilton; Commissioners Zerba and Moore; County Administrator Wozmak; HOC Superintendent Van Wickler; Computer Coordinator Putnam; Finance Director Trombly; Ex. Asst. Warren

Chairman Robertson asked Commissioner Zerba if the Commissioners had any comments regarding the first quarter budget report. Commissioner Zerba asked Finance Director Trombly to give an overview of the first quarter budget.

Director Trombly stated that at the end of the first quarter, everything is in line, at approximately 25% expended, as expected.

There was some discussion on the changes in Medicaid and the affect on the county. Rep. Pratt asked that he be informed on how it will be affecting the individual counties.

There was discussion on the line item authority of the Commissioners.

Rep. Pratt moved that the first quarter budget be accepted, Rep. Hogancamp seconded, voted unanimously.

Meeting adjourned at 11:25 AM.

Barbara Hull Richardson

Minutes approved on May 26

Barbara Richardson, Clerk

MINUTES
Cheshire County Delegation/City Council Meeting
Monday, May 10, 2005 7 PM
Keene Public Library, Keene, NH

PRESENT: Representatives Dexter; Hunt; Robertson; City Council Members Farrar, DiBernardo, Greenwald, Georgina, Parsells and Philips; Reps. Hogancamp; Chase, Allen, Dunn, Foote, Emerson, Mitchell, Butynski, Espieffs, Tilton and Weed.

Chairman Dexter opened the meeting 7:05 PM with a statement regarding the Cheshire County jail site. Chairman Dexter stated that he has spoken to Chief Justice Broderick who has agreed that he will entertain an idea of a Cheshire County Complex that would hold the County Jail and the Superior, Probate, District and family courts.

Commissioner Zerba stated that the Commissioners have sent out mailings that have ruled out all sites submitted. The only site the Commissioners are recommending is the County-owned land in Westmoreland.

Rep. Robertson stated that he has not heard Keene's preference for Keene sites. Rep. Hunt stated that he does not want Black Brook or the drive in site on the basis that Keene is a regional economic engine and he is not inclined to force a county jail into this land. He agrees that Black Brook and the former drive in site are probably inappropriate for us to be looking at for the jail.

Rep. Dunn asked about the old drive in property, which he stated has been on the market for 40 years. He questioned how aggressively industrial is has been marketed.

Councilman Greenwald stated that the land has not been on the market 40 years, it was for sale at one time but was purchased and the present owners are not interested in selling it.

Rep. Chase stated that it happens to be a suitable site for delegation choice for a jail. He stated that the city seems to be concerned about property that they may lose revenue on if it is purchased by the county. Perhaps the county can negotiate with the city on that lost revenue.

Rep. Dexter stated that if the city is not willing to submit sites to the county for a jail site, there is always the option of the county taking the property. Rep. Hogancamp stated that she understood that the Commissioners stated they would not acquire property by eminent domain.

Rep. Robertson stated that we could swap the Branch Road property with River Road property in Westmoreland.

Rep. Weed stated that the jail is also an economic engine which will provide permanent jobs, so not a relevant argument and he is still in favor of Keene. The delegation is ready to go for it.

Rep. Espieffs stated that the property we would look at includes the courts in the picture, becoming a county complex with a jail and the court system. He stated that we have to start thinking about building the jail with the courts. Rep. Dexter asked the council if the courts are included, does this change your position. Councilman Parsells stated that option is beyond their power and is not on the table for this group.

Rep. Hunt asked how much land are we considering now.

Councilman Phillips asked if the Commissioners changed their ideas from their original considerations, will that change things.

Rep. Hogancamp stated that this process has been going on for seven years and we need to stop wasting money, we need to get going. We are inviting the city council to monitor the process.

Rep. Espieffs stated that all three courts would be included. Rep. Robertson stated that the council is ignoring the committee. They have a chance to speak and give input but they are silent. There is no dialog with the delegation, and because of that we will do what we want.

Councilman Greenwald stated that his observation that Keene money was paid to do work. Those in Concord are not "open minded". There was some heated discussion with Rep. Robertson on this subject. Councilman Greenwald stated that it was the representatives fault for the present situation.

Rep. Tilton questioned why we bothered to sit down with the council.

Councilman Parcells stated that Rep. Hunt hit it on the head, the two sites are out (Black Brook and Optical Ave), the rest of them are in. Rep. Hunt stated that the initial list of ten sites was narrowed to six and then down to two. He proposed that the Keene representatives pick one of those sites to end the issue. Rep. Espieffs stated that two sites are the best, Blackbrook and Optical Avenue, as stated by the delegation on Monday but the County must respect the Keene community.

Rep. Butynski stated that the new information regarding the courts is a significant factor in the decision. Commissioner Zerba has stated that the Commissioners will consider Bardwell given this new, significant information but that input is needed sooner rather than later.

Rep. Allen stated that the eminent domain is needed to solve the NIMBY (not in my back yard) problem.

Rep. Chase thanked everyone for their work on the committee. He sees that the facility should be close to the center of action and that it would be best for the inmates giving them easier contact with their lawyers; closer to the court system; social services activities and healthcare since 20% of their issues is mental health. There are two workable sites, the Aldrich site and the old drive in site. Chase stated that the Bardwell farm was evaluated two years ago so there are four alternatives to evaluate.

Councilwoman Phillips stated that the information she recently received was helpful.

Meeting adjourned at 7:41 PM.

Judson Dexter
Chair

MINUTES
Public Hearing
Cheshire County Delegation Meeting
Monday, May 23, 2005 7 PM
Jury Assembly Room, Keene, NH

PRESENT: Representatives Allen, Butynski; Chase; Dunn; Dexter; Eaton; Emerson; Espieffs; Foote; Hogancamp; Hunt; Mitchell; Parkhurst; Plifka; Pratt; Richardson, Roberts; Robertson; Sawyer; Tilton; Weed; Commissioner Zerba, Moore and Sistare; Administrator Wozmak.

Chairman Dexter opened the public hearing at 7:02 PM to discuss the three potential sites for the county jail; Keene, Westmoreland and Swanzey.

Bruce Clement of Westmoreland stated that he supports the county complex idea, putting the jail in a central location.

Alex Henkle (a business owner in Black Brook) spoke against taking Black Brook as a place for the jail.

John Harris of Westmoreland stated that if it is put in Keene as a complex with the courts, should the outside consultants be asked for input. He stated that the complex concept is the New Hampshire trend.

The Chairman made three offers for public comment inviting those present to comment. No other members of the public asked to speak. Therefore the public hearing was closed at 7:08 PM.

Chairman Dexter opened the delegation meeting at 7:09 PM.

Commissioner Zerba spoke about the motion made on March 28 where \$200,000 was allocated to the Commissioners to conduct additional studies regarding jail sites. He stated that we are now looking at a county complex at the Bardwell Farm including other county departments such as the county attorney, deeds, sheriff, and other departments. Time is needed in order to put this new idea together so that the Commissioners can present a recommendation to the Delegation.

Chairman Dexter spoke about the Strafford County and how all court and county departments are on county-owned land and time is needed to get that organized.

Rep. Parkhurst asked if anyone had considered the cost to the taxpayer of funding for the jail and the additional department at this new complex.

Chairman Dexter stated that the concept of the county complex is a long-term solution to the jail site issue.

Rep. Eaton asked if the original motion needs to be restructured. Commissioner Zerba stated that the motion as it was stated is fine.

Rep. Robertson stated that he will vote for the Bardwell site if there is not an acceptable Keene site. He stated that Swanzey would then become the county seat and there would be no reason to go to downtown Keene. He asked why it is acceptable to spend \$2 million on a site. He spoke about the Routhier property that the County was looking at but which got purchased by others before we could act.

Rep. Espieffs asked what the value of the Bardwell land is. He asked about eminent domain.

Rep. Roberts stated that the Commissioners have a job to do to investigate the economy of a county complex for the next 40 years. He supports the Commissioners to come back to us with recommendations. He is uneasy with two groups, the Commissioners and the Delegation working at odds over this issue. He stated that the public perception is that there are deals being cut on the side, and we have to be careful not to fall into a negative perception by the public.

Rep. Pratt moved that the Commissioners have studies conducted on establishing a complex on the Bardwell property, with the funds already allocated on March 28, seconded by Rep. Eaton.

Rep. Allen stated that he felt that Rep. Robertson's comment regarding eminent domain is simplistic. Rep. Sawyer had a question on eminent domain. What is the process and would it take a long time. Rep. Pratt gave a timeline of the eminent domain process. Rep. Chase commented on the ten day window.

Rep. Weed asked for an estimate on how much money might be spent to look at the Bardwell property. It was estimated that we might spend \$150,000 or so to increase the size and extend the water and sewer lines.

Rep. Pratt stated that the issue of NIMBY is complex. He is not in favor of the complex concept and would not vote for Bardwell as a jail site.

Rep. Dunn asked if Bardwell is the site chosen, are we asking the state to address the road and traffic issue on Route 10.

Chairman Dexter said he was on Rt 10 and no difficulty with traffic.

Rep. Pratt spoke about the state budget pressures to push costs down on to the County that are now carried by the state. He wanted the members of the Delegation to understand how the state budget process might affect the county taxpayer. Rep. Allen asked shouldn't we send a letter to the Senate, who are currently working on the budget. Chairman Dexter stated that is a personal decision of each Representative.

Rep. Weed asked if the Delegation can push the Department of Transportation regarding Route 10. Rep. Hogancamp will contact the Department of Transportation regarding Route 10.

There was a motion to move the question, this motion was seconded and voice vote passed unanimously.

The motion was restated. **Rep. Pratt moved the delegation encourage the Commissioners to investigate using the money already budgeted to explore a county complex on the Bardwell property, seconded by Rep. Eaton. Roll call vote resulted in a vote of 18 yes and 3 no, motion passed.**

Rep. Espieffs moved that Cheshire County check into suing the state if the state fails to support the budget fully or pushes costs down to the county, Rep. Emerson seconded. After discussion, the motion was withdrawn.

Meeting adjourned at 7:56 PM.



Minutes approved on June 30

Barbara Hull Richardson

MINUTES
Public Hearing
Cheshire County Delegation Meeting
Monday, June 27, 2005 7 PM
Jury Assembly Room, Keene, NH

PRESENT: Representatives Allen, Butcher; Butynski; Chase; Dunn; Dexter; Eaton; Espieffs; Emerson; Espieffs; Foote; Hogancamp; Hunt; Mitchell; Parkhurst; Plifka; Pratt; Richardson, Roberts; Robertson; Sawyer; Tilton; Weed; Commissioner Zerba; Administrator Wozmak; Ex. Asst. Warren; Bill Marcello, SCS; Matt Suchodolski, SWRP; State Transportation Commissioner Murphy

Chairman Dexter opened the public hearing at 7:02 PM.

Bill Marcello of Southwestern Community Services provided an introduction of the project proposal, and handouts were made available to the public. He stated that Cheshire County has completed a Housing Rehabilitation grant and is seeking the Delegation's approval to permit the County Commissioners to submit a new application to continue its partnership. Mr. Marcello stated that Community Development Block Grant funds are available to municipalities for economic development, public facility and housing rehabilitation projects and feasibility studies that primarily benefit low and moderate-income persons. The State of New Hampshire is awarded approximately ten million dollars in CDBG funding each year. Local applications for housing and public facilities are accepted twice a year (January and July) and approximately 1.4 million dollars is available with this July competitive round.

The Cheshire County application will seek funding in the amount of \$350,000 for Housing Rehabilitation to serve up to 50 income eligible households to make essential repairs and improvements throughout Cheshire County. Requests for CDBG funding are limited to \$500,000 per year for both Housing and Public Facilities and \$500,000 per year for Economic Development. The County is also eligible to apply for emergency funds of up to \$500,000 (factor of population) while Feasibility Study funds are available for up to \$12,000 per year, regardless of population. Mr. Marcello explained that his agency would provide the required matching funds from several sources, at \$1,050,000.

Chairman Dexter asked for public comment. The delegation asked if the county has to provide any funds for the program, they were advised that the county does not expend any funds for the program. Rep. Pratt asked if Southwest Regional Planning Commission is running the program, they responded that they are. There were no additional questions.

Matthew Suchodolski of the Southwest Region Planning Commission introduced himself, provided an overview of the HUD low, and moderate-income limits, Cheshire County's Housing and Community Development Plan, and the County's Residential Antidisplacement and Relocation Assistance Plan. Copies of each of these three documents were made available.

He stated that this project directly conforms to three of Cheshire County's Housing and Community Development Plan's Goals:

- To support community efforts to conserve and rehabilitate the aging housing stock.
- Seek opportunities to maintain the traditional New England characteristics of communities by supporting rehabilitation in older buildings, historic buildings, and in town/village centers.
- Encouragement of all Cheshire County communities to make some provision so that lower income persons can reside or maintain their homes within the community.

In explaining the Residential Anti-Displacement and Relocation Assistance Plan, Mr. Suchodolski stated that this particular proposal will not involve any displacement or relocation of persons (or businesses). If the County were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

Chairman Dexter asked for public comments on the Housing and Community Development Plan. Rep. Robertson asked if all communities in Cheshire County are advised of this program. Matt stated that every town is contacted in addition to a newspaper advertisement of the program. There were no additional questions. The Chairman closed the CDBG Public Hearing at 7:38PM

A motion was made by Rep. Hunt, and seconded by Rep. Foote, to adopt the Housing and Community Development Plan, to adopt the Residential Anti-displacement and Relocation Assistance Plan, and to allow the Commissioners to apply for \$350,000 in funding and to authorize the Chairman (of the County Commissioners) to sign and submit the application, and to execute any documents necessary. A roll call vote was taken and the motion passed 22 to 0.

Assistant Nursing Home Administrator Hemenway explained his request for an amendment to the budget, which was to use \$5000 of the \$7500 of the capital budget that was to be used for folding doors, to purchase steam tables for the residents. **Rep. Eaton moved and Rep. Butcher seconded to amend the MNH capital budget by reducing \$7500 to purchase accordion doors by \$5000 to purchase steam tables. Motion passed by a roll call vote of 22-0.**

Rep. Eaton nominated Rep. Peter Allen as representative on the UNH Cooperative Extension board, Rep. Allen accepted, voted unanimously.

Transportation Commissioner Murray spoke to the group regarding the overpass for this area. She reviewed some of the history of the road plans for Keene to relieve heavy traffic areas. She explained that she understood our concern is for a new county facility on Route 10. She explained that interim improvements were made in order to go forward with the work on the roads in the city. She stated that she did not think that Route 10, which we are considering as a site was on a priority with the City of Keene. A two-lane roundabout is planned for Winchester Street and Route 101. The work is expected to start next summer. She addressed the increased costs for roadwork due to time delays. Rep. Butynski asked whom to see for more specific information on the Route 10 project. Commissioner Murphy stated that a meeting could be held to get more detail on the work. This will be followed up by the Commissioner's office. Rep. Pratt stated that the delegation should be notified of the next meeting with the City of Keene, and she agreed to do so. Rep. Parkhurst stated that he would like to complement the Commissioner for the roads in New Hampshire. The delegation thanked the Commissioner for her presentation.

The delegation asked for an update on the county complex on the Bardwell property. Commissioner Zerba stated that the architect has looked at the county complex with a jail, courthouse and some government buildings. He stated that a meeting is being set up with the Commissioners, the Mayor, City Manager MacLean, Senator Eaton and Rep. Dexter, to discuss the site. Chairman Dexter stated that he has met with Commissioner Hill, of the Department of Administrative Services, who is responsible for siting of a court.

Bob Beauregard, selectman from Swanzey expressed opposition by all three Selectmen to the jail facility being built in Swanzey. However, Rep. Eaton objected to his testimony.

Rep. Weed asked if a farm meeting could be held to discuss a conservation easement. Rep. Sawyer stated a meeting would be scheduled.

Rep. Emerson asked the Commissioners to address HB 1 and 2. Commissioner Zerba stated that it would result in an expense not budgeted by the county. He stated that the New Hampshire Association of Counties has hired a lawyer to consider a suite against the state if the bills pass. Meeting adjourned at 9:09 PM.



Minutes approved by phone 7/14/05

Barbara Hull Richardson

MINUTES
Cheshire County Delegation
Executive Committee 2nd Quarter Budget Meeting
Monday, August 22, 2005 10 AM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Allen; Butynski; Emerson; Mitchell; Pratt; Richardson; Robertson; Tilton; Representatives Espieffs, Parkhurst; Commissioners Zerba and Moore; County Administrator Wozmak; Finance Director Trombly; Ex. Asst. Warren

Meeting opened at 10:07 AM. Chairman Robertson asked the committee if there were any questions regarding the budget. There were none. Commissioner Zerba stated that Director Trombly can give an overview of the budget and she can answer any questions.

Director Trombly stated that at the end of the first quarter, revenues are at 44% remaining and expenses are at about 51% remaining. Some items may have to be adjusted in both areas. She gave some details on revenues and expenses. She asked if there were any questions.

Rep. Tilton asked about the federal money we will be receiving that is to be given to the state. Director Trombly stated that the federal government would no longer allow Medicaid Pro-Share funds the counties receive be sent to the state. She explained the contract between the federal government and the state regarding Medicaid funds. Administrator Wozmak explained the program.

Rep. Tilton asked about the hiring of correction officers at the HOC in preparation for the new jail. Administrator Wozmak stated that as far as he knows, it is happening.

Chairman Robertson stated that he would like to see the format of the budget report done in a different format that included a table of contents.

Rep. Pratt asked about our self insured health insurance. Director Trombly stated that we are still self insured and because we have had some catastrophic cases, it may affect our renewal rate. Administrator Wozmak explained how we have been using self insurance for about five years and it has resulted in some cost savings overall as against private insurance.

Rep. Pratt asked about the stated NH Dept of Health and Human Services wanting to decrease the amount of funds given to nursing homes. Administrator Wozmak stated that if the state tries to cap the number of Medicaid beds they will pay for, the county will have to determine whether someone is admitted and if so, whether all the costs will be absorbed by the county. There was some discussion on the number of residents in the nursing home and how they are covered.

Rep. Pratt asked about the new meal service program that was planned. Asst. Nursing Home Administrator Hemenway stated that the new program will go into effect on Sept. 12. They have done trial runs in all areas of the nursing home, and it seems to work well.

Chairman Robertson asked about the staffing at the nursing home. Bob Hemenway has been tracking the staffing since May. He uses the federal guidelines to determine staffing for the nursing home. He stated that the Medicare web site, which gives the nursing home statistics after a yearly survey is done. We are running about 3.66 – 4.05 hours of direct care time given to residents. The state average is 4.01 hours/day and the federal numbers are lower.

Rep. Espieffs asked about our relationship with Cheshire Medical Center. Administrator Wozmak stated we have entered into a good arrangement with the Center to provide physician services at the nursing home and the jail. He

said that we must have a medical director for the facilities, and physician services must be available 24/7. In addition, some residents have their own physician. Dr. Shapiro is Medical Director for the nursing home and the arrangement is working very well.

Rep. Pratt moved to accept the 2nd quarter budget, Rep. Allen seconded, voted unanimously.

Meeting adjourned at 11:40 AM.

A rectangular box containing a handwritten signature in black ink that reads "Barbara Hull Richardson".

Barbara Richardson, Clerk

Minutes approved on August 31

MINUTES
Cheshire County Delegation Public Meeting
Monday, October 17, 2005 7 PM
Jury Assembly Room, Keene, NH

PRESENT: Representatives Butcher; Butynski; Chase; Dunn; Eaton; Espieffs; Emerson; Foote; Hogancamp; Hunt; Mitchell; Parkhurst; Pratt; Richardson, Roberts; Tilton; Weed; Commissioners Zerba and Moore, Administrator Wozmak; Finance Director Trombly; Ex. Asst. Warren

Vice Chairman Eaton opened the public hearing at 7:10 PM.

Rep. Hunt made a motion to increase revenue line #3404.10.00 (State of NH Proportional Share Funds) by \$456,249.00 for the receipt of the State of NH Proportional Share Funds, and to authorize the use of Proshare funds by offsetting account lines as follows: Increase Old Age Assistance account #4441.54.00 by \$13,500.00 and 4441.55.00 Aid to the Permanently and Totally Disabled by \$87,000.00 in order to provide funding for unforeseen expenses due to the downshift of costs from the Sate to the County. Increase Intermediate Nursing Care account # 4441.56.00 by \$150,000.00 in order to provide sufficient funding towards the County obligation of the 4% rate increase for all New Hampshire Nursing Homes. Increase HCBC & Provider Payment account # 4441.56.01 by \$172,000.00 in order to accommodate projected 2005 expense shortfall. Decrease Board and Care of Children account # 4441.58.00 by \$126,000.00 to offset prior noted increases. Decrease Transfer from Surplus account # 3911.00.00 by \$159,749.00 for balance remaining, seconded by Rep. Dunn, roll call vote was 16 yes 0 no, motion passed unanimously.

Rep. Dunn made a motion to increase revenue line Patient Income State # 3404.01.00 by \$101,000.00 due to Medicaid rate increase of 4% for the County owned Maplewood Nursing Home Effective August 1, 2005. And to authorize a transfer to Nursing Home Capital Reserves account # 4915.89.00 for \$101,000.00 in order to provide funding for 2005, Rep. Hogancamp seconded, roll call vote was 16 yes 0 no, motion passed unanimously.

Rep. Mitchell made a motion to Increase use of Surplus account # 3404.11.00 by \$49,249.00 in order to decrease projected Nursing Home Quality Assessment Return Revenue line #3404.11.00 (6% Bed Tax) due to the negative impact the 4% Nursing Home rate increase will have on this revenue source, Rep. Chase seconded, roll call vote was 16 yes 0 no, motion passed unanimously.

Rep. Tilton made a motion to Increase use of Surplus account # 3404.11.00 by \$110,500.00 in order to fund the following reserves account # 4915.89.00; --- \$32,000.00 for Court House Reserves, --- \$46,500.00 for Computer Reserves, ---\$32,000.00 for Farm Equipment Reserves, seconded by Rep. Butcher, roll call vote was 17 yes 0 no, motion passed unanimously.

Rep. Roberts made a motion to increase Federal Grant Revenue account #3319.00.00 and Sheriff Equipment Purchase Expense line 0.4211.97.00 by \$13,968.00 in order to authorize the Cheshire County Sheriff's Department to expend a federally funded Byrne Justice Assistance grant in the amount of \$13,968 to purchase communications equipment and provide training for the Cheshire County Dispatch Center, seconded by Rep. Parkhurst, roll call vote was 17 yes 0 no, motion passed unanimously.

Rep. Hogancamp made a motion to amend the 2005 Cheshire County budget by \$521,968 to \$27,290,425.00, seconded by Rep. Pratt, roll call vote was 17 yes 0 no, motion passed unanimously.

Rep. Eaton commended the FMA and the Sheriff's department for their work in the recent flooding in Cheshire County and thanked them for all their work in the emergency.

There being no further business, the meeting ended at 8:11 PM.

A handwritten signature in black ink on a light beige rectangular background. The signature reads "Barbara Hull Richardson" in a cursive script.

Minutes approved by phone 11/14/05

Barbara Hull Richardson

MINUTES
Cheshire County Delegation Public Meeting
Monday, October 29, 2005 8:00 AM – 3:00 PM
Maplewood Nursing Home, Westmoreland, NH

PRESENT: Representatives Allen, Butynski; Chase; Coates; Dexter; Dunn; Eaton (for the first part of the meeting); Espieffs; Emerson; Foote; Hogancamp; Bonnie Mitchell; Parkhurst; Jack Pratt (for the first part of the meeting); Richardson, Roberts; Robertson; Sawyer; Tilton; Weed; Commissioners Zerba and Moore, Administrator Wozmak; Finance Director Trombly, Superintendent Van Wickler.

The meeting was preceded by a 8:00 AM tour of the jail attended by all those attending the meeting.

Chairman Dexter and Chairman Zerba opened the meeting at 9 AM and made statements regarding the purpose of today's meeting, which is to present information, have staff and others available to take questions and to make sure that the delegation gets answers to all its questions regarding the jail project.

Superintendent Van Wickler presented a power point presentation on the history of the jail project and its highlights. This included jail design, a staffing pattern analysis; the mission of county jails; Cheshire County jail offender statistics; and a review of current operations, programs and services.

He described access to services and what it means, what are the specific services envisioned for the jail and how will these services be delivered. Time was taken for questions and concerns regarding project site.

A copy of the PowerPoint presentation of Superintendent Van Wickler is attached to these minutes.

The group broke for lunch at 12:00 – 1:00, which was provided by Maplewood Nursing Home.

At 1 PM, the architects from SMRT addressed questions regarding architectural aspects of a new jail.

After that, Clough-Harbour Associates and Louis Berger Associated addressed engineering questions.

Financial questions were addressed by Sheryl Trombly, County Finance Director.

Alternative Sentencing questions answered by Gerry Pelletier.

Among other questions, the delegation asked for a side by side comparison of the sites of interest. After some discussion, the sites to be included in the side by side comparison were voted upon. They are the Adrich, Bardwell and Westmoreland sites. A side by side comparison of these three sites will be assembled for the delegation.

Any unanswered questions were written down with a promise that a written response would be sent out with the next seven days⁵.

There being no further business, the meeting ended at 3 PM.



Minutes approved by phone 11/14/05

Barbara Hull Richardson

⁵ A copy of the response to unanswered questions will be attached to these minutes for the record.

Cheshire County Department of Corrections
Copy of PowerPoint Presentation given by
Superintendent Van Wickler
October 29, 2005

Mission Statement

We fulfill our responsibility of providing care, custody and control of adult offenders utilizing dedicated and highly trained correctional staff who meet or exceed recognized standards. We operate responsibly as a cooperative and integral member of the criminal justice community. We provide adult offenders, without discrimination, opportunities for self-improvement through structured programs. We believe in the direct supervision philosophy of correctional management.

What is the Cheshire County Department of Corrections?

- ❖ We are a place of adult detention and rehabilitation
- ❖ We are a community health care provider
- ❖ We are a mental health institution
- ❖ We are a school administrative unit held accountable to Federal education laws for the learning disabled.

Introduction

- ❖ 1997 ~ Superintendent first raised jail expansion issue to the Board of Commissioners citing overpopulation and non compliance with recommended correctional standards.
- ❖ **Pulitzer Bogard Study**
August 1999 ~ Pulitzer Bogard & Associates complete the first jail expansion study with numerous recommendations. Commissioners proposed half of the recommendation to the delegation. Motion failed.
- ❖ **January 10, 2001**
12 Page Focus paper by County Administrator detailing the need to identify alternative sanctioning efforts and understand the Criminal Justice System philosophy of Cheshire County and the position of the system on the processing of crime and punishment.
- ❖ **August 2001**
Consultants from the National Institute of Corrections complete an assessment of the correctional needs in Cheshire County. The report concurs with Pulitzer Bogard. In their words our jail was insufficient and inadequate for what it is tasked to do.
- ❖ **December 2001**
Liebert & associates complete an in depth study of the jail and our criminal justice system. The result proposes a 23.5 million dollar facility (adding 4% for inflation through 2002). They indicate that this estimate is based on the MINIMUM space required and could only be achieved IF six major changes to the system were put into place.

Six recommended changes to keep beds at a minimum:

- ❖ Establish a criminal justice council
- ❖ Design data collection/information system protocols
- ❖ Develop a Court Service Department, including pre trial services, day reporting center, electronic home detention and work programs.
- ❖ Examine Detox policy
- ❖ Establish vertical prosecution
- ❖ Develop and implement a Case Management plan

Three types of Jail Architecture

- ❖ Linear Intermittent (through 1970's)

- ❖ Podular Remote (through 1980's)
- ❖ Podular Direct (1990's – present)
 - Podular Direct Supervision has been a concept of inmate management for over twenty years in progressive parts of the country. It is the management method of choice by correctional and criminal justice experts.

❖ **Podular Direct Supervision**

- ❖ Fewer assaults
- ❖ Fewer suicides
- ❖ Fewer inmate disturbances
- ❖ Reduced liability
- ❖ Less destruction of County Property
- ❖ Better rehabilitation opportunity
- ❖ Enhanced programming

Jail Staffing...

- ❖ Staffing pattern analysis must be conducted several times throughout the design / build process.
- ❖ We will focus on the goals of efficiency throughout the process.
- ❖ **Percentage increase comparisons;**

The building will increase in size **174%**

- ❖ From 30,000 sf To 82,000 sf
- ❖ Personnel will increase by a recommended **75%**

Including administrative positions. Largest increase is in line staff.

WHY conduct a staffing pattern analysis?

- ❖ To prevent having too many staff
- ❖ To prevent having too few staff
- ❖ To prevent having the wrong kind of staff
- ❖ To prevent improperly assigned staff
- ❖ Ensure efficient scheduling practice

Shift Relief Factors ~ SRF

- ❖ Number of days per year that the jail is closed 0
- ❖ Number of work days per year = 365 – a. 365
- ❖ Number of regular days off per employee per year 104
(52 weeks x 2 days off per week)
- ❖ Number of vacation days per employee per yr. 15
- ❖ Number of Holidays per employee per year 6
- ❖ Number of sick days used (avg) per year 9
- ❖ Number of other days off, comp, injury, military etc 6
- ❖ Number of training days per employee per year 5
- ❖ Total number of days off per employee per year 145
{c + d+ e + f + g + h}
- ❖ j. Number of actual work days per employee 220
- ❖ {365 – i}
- ❖ Lunches and breaks (j) x .0625 downtime factor 0
- ❖ Actual work days in one year (j) – (k) 220
- ❖ **Shift relief factor = (b) divided by (l) 1.65**

This is an estimate based on other jails of this size. Under normal leave policies, it has been shown that it takes 5 people to fill one 24 hour per day, 7 days per week post.

Liebert report, p.87 12/02

Staffing Requirements of new facility

- ❖ Central Control 3 x 1.65 SRF = 5
 - ❖ Housing pod 1 3 x 1.65 SRF = 5
 - ❖ Rover pod 1 2 x 1.65 SRF = 3
 - ❖ Housing pod 2 3 x 1.65 SRF = 5
 - ❖ Rover pod 2 2 x 1.65 SRF = 3
 - ❖ Booking / Intake 3 x 1.65 SRF = 5
 - ❖ Backup/relief/transport personnel ~ 2 each shift 6 x 1.65 = 10
 - ❖ Reception/diagnostic/segregation/ 3 x 1.65 = 5
 - ❖ Female Housing unit 3 x 1.65 = 5
- Total line staff required: **46**

Staffing Patterns

| Current | Proposed |
|---------------------|---------------------|
| Min / Max per shift | Min / Max per shift |
| ❖ 5 / 6 | 10 / 12 |
| ❖ 5 / 6 | 10 / 10 |
| ❖ 4 / 5 | 9 / 10 |
| 27 Staff | 46 Staff |

There are five main phases of the facility design process

- Pre- Architectural planning (Dec. 02) (should be 8 months)
- ❖ ~The Liebert Report along with the “Bennett” Master plan. Goals are to determine needs for the next 20 years, determine the number of beds required, determine the square footage required. This step DOES NOT INCLUDE architectural design.
- Site Selection and Planning(8 mos concurrent with phase I)
- ❖ ~Determine site and issues associated with it (2 yrs)

- Architectural Design (12 mos)
- ❖ ~Hired SMRT of Portland Maine. Work with square footage of pre program, determine goals and needs of local criminal justice system. Connect pre architectural data with system goals and requirements. Build to standards to include ACA, ADA, Fire / safety, local codes. Design should assist in efficient management and liability reduction.
- Construction (18 months)
- Occupancy (2 months)

Average total time for Jail project is 40 months (NIC)

1997, 1998 1999, 2000, 2001, 2002, 2003, 2004, 2005

Completion? 9 years...

Where does the building go?

- ❖ Numerous sites were explored for feasibility around Cheshire County.
- ❖ A site on Rt. 101 was seriously considered and approved by the Delegation. Constituents purchased the property the next day to prevent the project from moving there.

Back to Westmoreland...

- ❖ After public hearings, the commissioners decided to place the project in Westmoreland.
- ❖ Feb. 04 Delegation votes by a 2/3 majority to construct a new facility in Westmoreland on County owned land.
- ❖ Sept. 04 Delegation rescinds its Feb 04 vote and directs that a search for a site nearer to Keene continue.

The 2nd attempt at a site nearer to Keene...

- ❖ Located adjacent to Rt. 12 off of Forge Street industrial park.
- ❖ Involves four land owners and negotiations with each.
- ❖ Major opposition by City of Keene resulted in the Keene City Council meeting with a committee of Cheshire County Delegate members to find another site.

A Criminal Justice Complex...

- ❖ Consideration was given by Commissioners and the Delegation to establishing a criminal justice complex on Rt. 10 in Swanzey just over the Keene line

Current situation

- ❖ Construction cost is at more than 30 million dollars
- ❖ Cost is estimated by consultants to increase by \$100,000. per month

Open Forum, 21 September '05

- ❖ Panel was assembled to answer questions with respect to challenges with jail projects and sites in other counties.

Our purpose today

- ❖ Provide an updated briefing of major events
- ❖ Provide answers to any questions that anyone may have regarding jail operations
- ❖ Research the questions to which there are no immediate answers and provide answers within 7 days
- ❖ Provide you with the facts that you need to make this decision.
- ❖ Have subject matter experts available to you

Inmate Statistics

- ❖ 1253 bookings in 12 months
- ❖ 216 were women
- ❖ Maximum population = 131 3/13/05
- ❖ Minimum population = 95 9/27/05
- ❖ 27% are 22 yrs old or younger
- ❖ 50% are 28 yrs old or younger
- ❖ Youngest age is 17
- ❖ Oldest age is 70
- ❖ **Average lengths of stay...**
- ❖ For pretrial offenders it is 47 days.
- ❖ For sentenced offenders it is 41 days.
- ❖ We processed 303 protective custody holds.
- ❖ Work release = 125 days
- ❖ Electronic monitoring = 131 days
- ❖ Federal inmate LOS = 67 days
- ❖ State prison parole violators = 3 days
- ❖ **Inmate Education**
- ❖ 30% are high school graduates
- ❖ 20% received GED before admission
- ❖ 50% do not have a high school education
- ❖ Only 9 inmates have passed a GED examination YTD. In 2004 there were 14 successful GED completions.

Current recidivism rates

- ❖ 2004 = 47%
- ❖ 2005 = 59%
- ❖ National Average is 62%

Homeless upon release

- ❖ 15%

Medical / Mental Health

- ❖ 60% of the inmates are on prescribed medications which have cost \$81,656. YTD in 2005
- ❖ 21% were diagnosed with a mental illness in 2004
- ❖ ~ State is reducing assistance for mentally ill inmates
- ❖ ~ We need enhanced mental health services
- ❖ 10% have tested positive for TB mantoux test.
- ❖ 4% had a positive x-ray which resulted in medication being administered in the treatment for TB.
- ❖ No active TB has been encountered but the threat is increasing.

Programs

- ❖ We currently have 103 registered volunteers for over 20 different programs.
- ❖ 40 volunteers participate in 12 programs on a regular basis.
- ❖ 60% of inmates indicate that they want to participate in programming upon admission
- ❖ Only 12% actually do.
- ❖ 28 inmates were supervised on work release programs in 2004
- ❖ Only 17 inmates have been released on work release in 2005
- ❖ For pretrial release, we have supervised 4 inmates in 2004 and 1 in 2005.

Inmate Labor ~ 12 month period

- ❖ Maplewood kitchen = 6 inmates @ 20,748 hours
- ❖ Maplewood Laundry = 1.5 inmates @ 5,460 hours
- ❖ Barn and Farm Crew = 5 inmates @ 25,480 hours
- ❖ Maintenance = 1.5 inmates @ 4368 hours
- ❖ **Inmate Labor provided to the community**
- ❖ 207 inmates provided labor to the Cheshire Fair Grounds totaling over 1500 hours.
- ❖ 19 inmates provided labor to the Keene transfer station
- ❖ 3 inmates have provided labor to the UNH cooperative extension
- ❖ 4 inmates provide road side cleanup in Westmoreland

Employment

- ❖ Over 50% of the inmate population was not employed prior to incarceration

Top categories of crime

- ❖ 303 in protective custody
- ❖ 133 probation and parole violation
- ❖ 84 DUI {Alcohol or drugs}
- ❖ 81 Driving after license revocation or suspension
- ❖ 59 possession of a controlled drug
- ❖ 52 Non support (child support
- ❖ 51 Violation of a protective order (DV)
- ❖ 48 Simple assault

Police Departments with most arrests

- ❖ Keene 387
- ❖ Swanzey 72
- ❖ NH State Police 64
- ❖ NH Probation and Parole 63
- ❖ Winchester 61
- ❖ Hinsdale 56
- ❖ Remaining agencies are 39 or fewer.

QUESTIONS FOR THE PANEL

- ❖ Everyone is interested in *access to services*.
- ❖ What do we mean by “access”?
- ❖ What do we mean by “services”?

What are unanswered questions or concerns?



OFFICE OF CHESHIRE COUNTY COMMISSIONERS
Memorandum

TO: Rep. Judson K. Dexter, Chairman
Members of Cheshire County Delegation

FROM: Commissioners Zerba, Sistare and Moore

DATE: November 5, 2005

RE: Answers to questions raised during the jail meeting on October 29, 2005

At the jail forum #2 at Maplewood, questions were asked that could not be answered immediately. Below are the questions, with answers to those questions.

1. There was a question about where the Protective Custody Holds live (as opposed to which police agency picked them up). The average stay for a Protective Custody hold at the jail is 9 hours. There were 305 PC's processed in last 12 months.
 - A. Of them, how many PC's were in protective custody before? 30
 - B. Men = 231 Women = 74
 - C. Where are they from?
 - Keene = 155
 - Chesterfield = 4
 - Hinsdale = 15
 - Marlborough = 5
 - Rindge = 21
 - Swanzey = 28
 - Troy = 7
 - Winchester = 12
 - Other NH communities and ME, NY, PA & CT = 58.

2. There was a question as to whether there is a relationship between offenders placed on work release/electronic monitoring and recidivism. Of the current 6 individuals who are on work release, 3 of them have been here before. Of the current 6 individuals who are on electronic monitoring, 2 of them have been here before. The Superintendent suggests that there is no correlation or data to support that electronic home confinement or work release will prevent offenders from coming in contact with the criminal justice system again.

3. There was a question as to the number of arrests made by Keene Police and what the residency was of those arrested by the Keene Police. According to the jail classification supervisor, 50% of the inmates arrested and brought in by Keene PD (387) are from neighboring towns or elsewhere (194). * Important not to confuse these numbers with that of the protective custody holds above.
4. There was a question as to how many offenders placed in the Alternative Sentencing Program wound up in jail again. According to JAIL statistics, 10% of those on alternative sentencing have returned to custody for failing to comply with program requirements.
5. There was a question about the number of times the Sheriff's Department provides transportation assistance to the towns to make it easier for the outlying towns to transport people to the jail. The Sheriff's Department transported 37 people in 2004 who had been arrested by town police departments. Specifically, 14 for Keene, 8 for Jaffrey, 3 for Winchester, 1 for Chesterfield, 6 for NH Probation/Parole, 2 for State Police, 1 for Surry and 2 for Rindge.
6. There was discussion about the average length of stay at the JAIL. As stated, the average sentenced inmate stay is 41 days, 12 hours. However, mathematical averages are not always useful. To provide perhaps more useful information, enclosed with this memo are three sheets titled "Current Inmate Time Incarcerated Aging Report". These sheets show the total inmate incarceration periods broken out over various lengths of time (i.e. 1 to 3 days, 4 to 7 days, over 365 days, etc.). The sheets also detail the lengths of stay for both sentenced offenders and pre-trial offenders. **Exhibits 'A', 'B' & 'C'.**
7. There was a question regarding the number of hours that inmates work at the farm. Utilizing an average of five inmates per day at just the farm: 10 hrs would be 18,060 hours. 12 hours per day is 21,672 hrs. The actual number of inmates used at the farm varies depending on classification, census and behavior issues. However, the JAIL attempts to always send 6 inmates each day of the week.
8. There was a question about changes in operating costs and future access (bridges etc.) The changes in operating expenses are detailed in the enclosed spreadsheet, **Exhibit 'D'**. There is no real estimate of future 'access' costs, such as bridges and roadways. The Commissioners have previously stated that were construction to damage Westmoreland town roads, that the damage would be assessed and repaired. In addition, an earlier delegation motion (made by Rep. Laurent on 2/9/04) to give the town of Westmoreland \$100,000 for a contribution to repair/replace the River Road bridge was defeated by the delegation by one vote.
9. There was a question as to what the impact on the taxpayers would be from the increased *operating* costs of a new facility. The net *operating* cost impact on taxes to be raised for the 2006 proposed budget is \$43.12 per \$100,000 of valuation. If a new facility were occupied in 2007, the impact on taxes to be raised would increase to \$60.73 (an increase of \$17.61 over 2006) if the jail is located in Keene. If, in 2007, the jail is still in Westmoreland, the taxes would increase to \$59.56, a difference of \$1.17. The operating cost impact on taxes for each location is also included within the enclosed spreadsheet and is delineated as to the cost per \$100,000 of valuation. Refer to **Exhibit 'D'**.
10. There was a question about how much additional revenue might be received from work release inmates if the facility was located closer to Keene. Twenty-eight inmates were supervised on work release programs in 2004. Seventeen inmates have been placed on work release in 2005. Because work release is ordered through a court process, there is no indication that court policies would change if the jail were closer to Keene.
11. The delegation requested a 'side by side' comparison of the three sites of interest that were identified at the Saturday forum. Those sites are the Aldrich, Bardwell and Westmoreland sites. A side by side comparison is enclosed as **Exhibit 'E'**. Summarizing the enclosure, assuming you paid the *asking* price for the Aldrich

property, it would cost \$31,338,565.00 to develop the site and build the jail. Assuming you paid the *asking* price for the Bardwell property, it would cost \$31,906,871.00 to develop the site and build the jail. To develop the site and build the jail in Westmoreland would cost \$31,524,129.00. The architects (SMRT), engineers (Louis-Berger) and contractor (MacMillin Company) have updated the figures produced earlier and in some cases, by other consultants, such as Clough-Harbour. Therefore, comparison with previous figures may be difficult. However, given the limited study to update all of the figures for the selected sites over the past 7 days, we have comparable cost estimates in Exhibit 'E'. Obviously, the final purchase price for any land will change the figures. See the following question regarding the assessed values of the Aldrich and Bardwell properties. To see a conceptual layout of the proposed building on each of the three sites, see enclosed **Exhibits 'F', 'G' and 'H'**.

12. In order to compare the sites, the delegation requested that we obtain the *assessed* values of the Aldrich and Bardwell properties. The Bardwell property is *assessed* at \$165,400 (94.3%) or \$175,397.67 at 100% equalization. The real estate listing for the Bardwell property states an asking price of \$2,690,000. In 1998, the Bardwell property was sold to its present owner for \$550,000, according to the tax card. The Aldrich property is *assessed* at \$300,300 at 100% equalization. The real estate listing for the Aldrich property states an asking price of \$325,000. We have copies of the tax cards and real estate listings available for review.
13. There was a question about the expansion capabilities of all three sites. All three sites anticipate that expansion will be necessary at some point in the future. The enclosed diagrams for each site indicate a land area for future expansion.
14. There was a discussion as to whether the presence of the floodway/flood plain would prevent the existing wastewater treatment plant to be expanded to accommodate a new correctional facility. Facilities Manager Barry King contacted Wesley Ripple of the Department of Environmental Services who indicated that the easiest plan would be to add another lagoon or expand the existing lagoon. He saw no reason why expansion could not take place. Further, you may recall that on October 24, 2004, we sponsored an Open House of the treatment plant to open the operation and its records to any elected official and member of the public. We had representatives of the NH DES available to field questions from those present. We have enclosed the October 26, 2004 Keene Sentinel news article associated with this Open House for your recollection. **Exhibit 'I'**.
15. There was a discussion about the costs of water and sewer comparisons between Keene and Westmoreland. We have revised this presentation in **Exhibit 'J'** comparing the three selected sites with their respective bonding costs associated with construction and the fees and added expenses associated with its operation. You will also see that operating costs associated with the production and treatment of water/sewer has been footnoted on **Exhibit 'D'** on an *allocation* basis at the request of the Delegation Chairman.
16. Also enclosed is an updated construction bond schedule with an estimated 2007 cost of \$32 million and its impact on taxes. **Exhibit 'K'**.
17. We feel it is also important to underscore that from the first review of the Aldrich property by Clough-Harbour through the most recent evaluation by SMRT and Louis-Berger, the architects recommend against consideration of the Aldrich property. It has significant wetlands that would take additional time and money to mitigate and permit, it is narrow and the building would have to be re-designed to make a better fit on the property. It is the worst of the three sites under consideration.

In closing, we would like to take this opportunity to re-cap the evidence-based reasons for our believe that the best location for the new jail is on county owned land in Westmoreland:

1. With available land in Westmoreland, we do not feel there is any justification for Eminent Domain. If the Westmoreland site was unable to accommodate a new facility, we might be inclined to consider taking necessary land. However, there is no evidence that the county owned land in Westmoreland couldn't work.

2. The county owned land is readily available and, thus, the project can start sooner than if we had to negotiate for land.
3. The proximity to and relationship with Maplewood Nursing Home and the Farm is well established and we see no reason to alter this economically advantageous arrangement.
4. The current evidence establishes that remaining in Westmoreland will have the lowest operating expenses both in the short term and the long term.
5. The evidence has established that all relevant services as well as access to services at a new jail can be provided in Westmoreland.
6. The evidence has established that our alternatives to incarceration (the Alternative Sentencing Program and the Mental Health Court) are effective means of providing access to services for offenders who need community-based services and who can meaningfully participate in those programs. We will continue to support expansion of those programs and to seek support by the delegation.
7. While twenty-eight inmates were supervised on work release programs in 2004 and seventeen inmates have been placed on work release in 2005, the evidence is that the location of the jail has no relationship with the number of offenders placed on work release. A court process that is beyond the control of jail officials drives orders for work release. Further, the Superintendent believes that no one on work release ought to be occupying a bed at the jail. His feeling is that if an individual is safe to be released to go to work, he should be returning home at the end of the day and not taking up expensive space at the jail. Again, these are policies of the courts that are not affected by the location of the jail.
8. There is evidence that the wastewater treatment plant in Westmoreland can be expanded and upgraded. Stated a bit differently, there is no evidence that the floodway or flood plain presence will prevent expansion or upgrading of the existing plant.
9. The consideration to move the facility closer to Keene was based on access to services and roadways. Since being closer will not change either the type of scope of services, there is no "services" argument to move the jail closer to Keene.
10. While there is evidence that local police departments could reduce travel to a jail if it were located closer to Keene, this alone is not enough for us to consider moving the jail. We continue to believe that if in any specific situation, transporting prisoners becomes an issue, the jail and the Sheriff's Department will continue to cooperate to ease the local burden on a case by case basis.
11. The current evidence clearly demonstrates that constructing the new jail in Westmoreland will not be more expensive than building the new jail in the Keene area when land acquisition costs are taken into account. Thus, there is no significant cost reason to build the jail in the Keene area.
12. The current information regarding the existing wastewater and water treatment plan operation in Westmoreland is that there is a 50% likelihood that we will need to upgrade the systems within the next few years, regardless of whether or not a new jail is built in Westmoreland. Therefore, while the estimated water and sewer costs are \$969,192.00 in Westmoreland when associated with a new jail, keep in mind that potentially \$880,000 of this will have to be spent anyway even if the jail is built elsewhere.

11/03/05

Pretrail Inmates

13:35

Current Inmate Time Incarcerated Aging Report

Page: 1

| Time of Incarceration | Number of Inmates: |
|------------------------|--------------------|
| Under 4 Hours | 0 |
| Over 4, Under 24 Hours | 7 |
| 1 to 3 Days | 3 |
| 4 to 7 Days | 4 |
| 8 to 14 Days | 2 |
| 15 to 30 Days | 9 |
| 31 to 60 Days | 10 |
| 61 to 90 Days | 6 |
| 91 to 120 Days | 1 |
| 121 to 180 Days | 2 |
| 181 to 240 Days | 6 |
| 241 to 300 Days | 2 |
| 301 to 365 Days | 1 |
| Over 365 Days | 1 |
| ----- | |
| Total Inmates: | 54 |

11/03/05

Sentenced Inmates

13:35

Current Inmate Time Incarcerated Aging Report Page: 1

| Time of Incarceration | Number of Inmates: |
|------------------------|--------------------|
| Under 4 Hours | 0 |
| Over 4, Under 24 Hours | 0 |
| 1 to 3 Days | 3 |
| 4 to 7 Days | 1 |
| 8 to 14 Days | 2 |
| 15 to 30 Days | 2 |
| 31 to 60 Days | 6 |
| 61 to 90 Days | 8 |
| 91 to 120 Days | 6 |
| 121 to 180 Days | 7 |
| 181 to 240 Days | 3 |
| 241 to 300 Days | 4 |
| 301 to 365 Days | 1 |
| Over 365 Days | 0 |
| ----- | |
| Total Inmates: | 43 |

| | <u>Aldrich</u> | <u>Bardwell</u> | <u>Westmoreland</u> |
|------------------------------------|---|---|--|
| Land Listed Price | \$ 325,000 | \$ 2,690,000 | \$ 0 |
| Construction * | \$ 28,496,625 | \$ 28,436,625 | \$ 28,436,625 |
| Site Development: | | | |
| clearing & grubbing | \$ 180,360 | \$ 48,222 | \$ 216,432 |
| common excavation (cut) | \$ 510,300 | \$ | \$ 960,120 |
| embankment in place (fill) | \$ 417,960 | \$ 259,200 | \$ 822,960 |
| Sewer | \$ 304,560 | \$ 33,696 | \$ 602,424 |
| Water | \$ 207,360 | \$ 217,728 | \$ 366,768 |
| Electricity | \$ 54,000 | \$ 54,000 | \$ 54,000 |
| Road Improvements | \$ 297,000 | \$ 167,400 | \$ 64,800 |
| Wetland Mitigation | \$ 129,600 | \$ | \$ |
| Retaining Wall | \$ 415,800 | \$ | \$ |
| Total Site Development | \$ 2,516,940 | \$ 780,246 | \$ 3,087,504 |
| Grand Total | \$ 1,338,565 | \$ 31,906,871 | \$ 31,524,129 |
| Floodplain Concerns | Not an issue. This site is not in the flood plain | Not an issue. This site is not in the flood plain | Not an issue. This site is well above flood plain |
| Wetlands Concerns | An issue. Soil surveys indicate significant wetlands which limit options. Wetland Mitigation may require additional property acquisition and building design changes. | Minor issue. Wetlands are present only at the south property corner. | Minor issue. Slopes suggest not an issue but not yet mapped. |
| Haz. Waste Concerns | Not likely an issue. Hazardous wastes not expected, but survey not yet performed. | Not likely an issue. Hazardous wastes not expected, but survey not yet performed. | Not an issue. History suggests not an issue |
| Site Availability | Listed for sale. | Listed for sale. | County owned. |
| Access to Utilities | May be an issue. An easement must be negotiated for access to utilities. | Minor Issue. Some piping off site must be enlarged, but a cost issue only. | Minor Issue. Expected to be cost issue only. |
| Assessed Value | \$ 300,300 | \$ 175,400 | \$ |
| Listed Cost | \$ 325,000 | \$ 2,690,000 | \$ - |
| Operating Cost | \$ 4,178,972 | \$ 4,178,972 | \$ 4,107,004 |
| Operating Cost Differential | \$ - | \$ \$ | \$ -(71,968) |

* Construction Definition - What it takes to build the building once the site is prepared. Includes contractor price, storm water run off detention. Includes soft costs of 15% and contingency of 5%.

Notes:A. Wetlands concerns: Environmental regulations require that all but minor wetlands be subject to permitting review and authorization. Mitigation of wetlands destruction by the creation of new wetlands

destruction by the creation of new wetlands is required in most cases, and so, significant wetlands destruction would subject the project to possible delays.

B. Inflation in the construction industry is anticipated to be very high over the next year due to increased volatility in energy prices and the demand for materials and products as a result of natural disasters this past year. Advisors recommend 10% percent be used over the next year to anticipate inflation. Actual inflation may differ. This inflation value is included in the numbers presented.

C. Construction costs for Aldrich property include and additional \$60,000. This added expense is due to the fact that the site is narrow and the building will have to be redesigned to make a better fit on the property.

D. Most recent sale for Bardwell property was in 1998. The selling price at the time was \$550,000.

COUNTY OF CHESHIRE

DEPARTMENT OF CORRECTIONS

Budget Estimates for new Facility

11/4/2005

| | 2006 Proposed Budget | Aldrich Site Prjctd 2007 | Bardwell Site Prjctd 2007 | Westmoreland Site Prjctd 2007 | Aldrich Site Prjctd (20 yrs) | Bardwell Site Prjctd (20 yrs) | Westmoreland Site Prjctd (20 yrs) |
|---|----------------------------|--------------------------------|---------------------------------|-------------------------------------|------------------------------------|-------------------------------------|---|
| Payroll & Benefits | 1,866,636 | 2,795,568 | 2,795,568 | 2,768,953 | 55,911,364 | 55,911,364 | 55,379,052 |
| Operating | 748,771 | 1,018,821 | 1,018,821 | 1,018,821 | 20,376,420 | 20,376,420 | 20,376,420 |
| Facilities | 130,572 | 304,960 | 304,960 | 299,560 | 6,099,200 | 6,099,200 | 5,991,200 |
| Westmrlnd Wtr Trtmnt & WWTP (1) | | - | - | 10,000 | - | - | 200,000 |
| Municipal Water & Sewer Fees | | 43,913 | 43,913 | - | 878,260 | 878,260 | - |
| Subtotal Operating | 2,745,979 | 4,163,262 | 4,163,262 | 4,097,334 | 83,265,244 | 83,265,244 | 81,946,672 |
| Capital (Annual Depreciation Exp) | | | | | | | |
| Van | | 6,720 | 6,720 | 6,720 | 134,400 | 134,400 | 134,400 |
| Mower | | 1,440 | 1,440 | 400 | 28,800 | 28,800 | 8,000 |
| Maint Vehicle | | 5,000 | 5,000 | - | 100,000 | 100,000 | |
| (5) Leased Comp @ \$430/each | | 2,150 | 2,150 | 2,150 | 43,000 | 43,000 | 43,000 |
| 2 Network Printers @ \$1,000/each | | 400 | 400 | 400 | 8,000 | 8,000 | 8,000 |
| Subtotal Capital | | 15,710 | 15,710 | 9,670 | 314,200 | 314,200 | 193,400 |
| Total Projected Expenses | | | | | | | |
| P/R, Operating & Capital Difference | \$ 2,745,979 | \$ 4,178,972 | \$ 4,178,972 | \$ 4,107,004 | \$ 83,579,444 | \$ 83,579,444 | \$ 82,140,072 |
| | | | | \$ (71,969) | | | \$ (1,439,372) |
| Revenues as presented for 2006 including Federal Inmates | | | | | | | |
| Inmate R&B (Work Release) (2) | 18,000 | 18,000 | 18,000 | 18,000 | 360,000 | 360,000 | 360,000 |
| Federal Inmate reimbursement | 0 | 350,400 | 350,400 | 350,400 | 7,008,000 | 7,008,000 | 7,008,000 |
| Electronic Monitoring | 6,000 | 6,000 | 6,000 | 6,000 | 120,000 | 120,000 | 120,000 |
| Medical Co-Pay Fee | 6,500 | 6,500 | 6,500 | 6,500 | 130,000 | 130,000 | 130,000 |
| Public Telephone Commission | 60,000 | 60,000 | 60,000 | 60,000 | 1,200,000 | 1,200,000 | 1,200,000 |
| Miscellaneous Income | 4,000 | 4,000 | 4,000 | 4,000 | 80,000 | 80,000 | 80,000 |
| | \$ 94,500 | \$ 444,900 | \$ 444,900 | \$ 444,900 | \$ 8,898,000 | \$ 8,898,000 | \$ 8,898,000 |
| Jail Operating Deficit net of Rev | \$ 2,651,479 | \$ 3,734,072 | \$ 3,734,072 | \$ 3,662,104 | \$ 74,681,444 | \$ 74,681,444 | \$ 73,242,072 |
| Net Operating Expense Estimated Tax Impact per \$100,000 | 2006 | Aldrich | Bardwell | Wstmrlnd | | | |
| | | | \$ 60.73 | \$ 59.56 | | | |

(1) - The Westmoreland Water & Waste Water Treatment Plants serve all Westmoreland facilities. Based on the gallons used by the jail today, the current allocation is 33% or \$32,657. The operating expenses above indicate the additional financial impact of the new jail. This is a fair presentation for the site scenario's as the current expenses of the treatment plants will not go away if the site is moved to Keene as the they would need to continue operating and to serve the facilities that remain in Westmoreland.

(2) - Inmate Work Release Room and Board. Every inmate on work release must pay \$20 per work day for room and board. Assuming a 260 day per year work schedule, the potential revenue per inmate would be \$5,200 per year.

Note: 20 & 30 year projections in current dollars

Cheshire County D.O.C. Expansion

\$32,000,000
Jail Expansion
20 Year Estimated Bond Schedule

@ 4.20%

| Principal | Interest | Princ Balance | Total Annual Debt | Year |
|---------------|---------------|---------------|-------------------|------|
| \$1,600,000 | \$1,344,000 | \$32,000,000. | \$ 2,944,000 | 2005 |
| 1,600,000 | 1,276,800 | 30,400,000. | 2,876,800 | 2006 |
| 1,600,000 | 1,209,600 | 28,800,000 | 2,809,600 | 2007 |
| 1,600,000 | 1,142,400 | 27,200,000 | 2,742,400 | 2008 |
| 1,600,000 | 1,075,200 | 25,600,000 | 2,675,200 | 2009 |
| 1,600,000 | 1,008,000 | 24,000,000 | 2,608,000 | 2010 |
| 1,600,000 | 940,800 | 22,400,000 | 2,540,800 | 2011 |
| 1,600,000 | 873,600 | 20,800,000 | 2,473,600 | 2012 |
| 1,600,000 | 806,400 | 19,200,000 | 2,406,400 | 2013 |
| 1,600,000 | 739,200 | 17,600,000 | 2,339,200 | 2014 |
| 1,600,000 | 672,000 | 16,000,000 | 2,272,000 | 2015 |
| 1,600,000 | 604,800 | 14,400,000 | 2,204,800 | 2016 |
| 1,600,000 | 537,600 | 12,800,000 | 2,137,600 | 2017 |
| 1,600,000 | 470,400 | 11,200,000 | 2,070,400 | 2018 |
| 1,600,000 | 403,200 | 9,600,000 | 2,003,200 | 2019 |
| 1,600,000 | 336,000 | 8,000,000 | 1,936,000 | 2020 |
| 1,600,000 | 268,800 | 6,400,000 | 1,868,800 | 2021 |
| 1,600,000 | 201,600 | 4,800,000 | 1,801,600 | 2022 |
| 1,600,000 | 134,400 | 3,200,000 | 1,734,400 | 2023 |
| 1,600,000 | 67,200 | 1,600,000 | 1,667,200 | 2024 |
| \$ 32,000,000 | \$ 14,112,000 | | \$ 46,112,000 | |

| |
|---|
| Based on the estimated bond schedule, the impact on taxes per \$100,000 would be \$47.88. |
|---|

**County of Cheshire
Correction Facility**

Estimated Water and Sewer Costs over 20 years

| | Aldrich | Bardwell | Westmoreland |
|---|----------------|----------------|----------------|
| Municipal Water & Sewer Fees and/or added expenses | \$ 878,260.00 | \$ 878,260.00 | \$ 200,000.00 |
| Bonding Costs associated with Water/Sewer construction | \$ 511,920.00 | \$ 251,424.00 | \$1,396,602.00 |
| Totals | \$1,390,180.00 | \$1,129,684.00 | \$1,596,602.00 |

Estimated Water and Sewer Costs over 30 years

| | Aldrich | Bardwell | Westmoreland |
|---|----------------|----------------|----------------|
| Municipal Water & Sewer Fees and/or added expenses | \$1,317,390.00 | \$1,317,390.00 | \$ 300,000.00 |
| Bonding Costs associated with Water/Sewer construction | \$ 511,920.00 | \$ 251,424.00 | \$1,396,602.00 |
| Totals | \$1,829,310.00 | \$1,568,814.00 | \$1,696,602.00 |

Fee projections in current
dollars

MINUTES
Cheshire County Executive Committee
Monday, November 21, 2005 6:30 PM
Jury Assembly Room, Keene, NH

PRESENT: Representatives Allen, Butynski; Butcher; Coates; Dexter; Dunn; Eaton; Espiefs; Emerson; Hogancamp; Mitchell; Parkhurst; Plifka; Pratt; Richardson; Roberts; Robertson; Sawyer; Tilton; Weed; Commissioners Zerba, Sistare and Moore, Administrator Wozmak; Finance Director Trombly, Ex. Asst. Warren.

The meeting was opened by Chairman Robertson at 6:30 PM. He asked the members if there were any questions on the third quarter budget.

Rep. Tilton asked what was happening with the new elevators. Administrator Wozmak stated that the project should be completed in about 4 weeks and is expected to come within budget.

Rep. Pratt asked about the new food distribution program at the nursing home. Administrator Wozmak stated that he thinks it is going well but serving and staffing assignments will need to be refined as we go along.

Rep. Pratt asked if there was an impact on the Sheriff's budget due to the Alstead flooding. Administrator Wozmak stated that there was overtime associated with the flood but that the budget did not need to be amended. He said FEMA funds will be applied for to the extent possible. Director Trombly stated we can only apply for overtime costs and that an application will be complete before Christmas.

Rep. Dexter asked regarding the negative balances in some of the budgets. Director Trombly stated that most lines are OK because the costs are sometimes expended earlier in the year or other lines may cover other costs. Overall the budget is in line with projections.

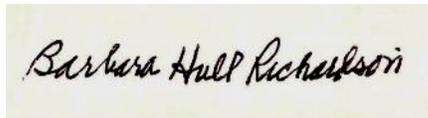
Rep. Pratt asked why we are coming in below budget on federal inmates. Director Trombly confirmed that since we had to reduce the number of inmates due to overcrowding, we had to discontinue the practice of taking in federal inmates. Superintendent Van Wickler stated that he had considered capping the number of inmates for the jail but that is not usually a successful move and is a judicial decision. There was some discussion about the history of holding federal inmates.

Rep. Pratt asked about the milk income on the farm. Administrator Wozmak said that he believes we will be in line with the milk production. He said that the farm manager is preparing a report on the effects of the recommendations made several years ago to improve the output at the farm. Rep. Dexter asked if we are going to come in on budget for the fourth quarter. Commissioner Moore stated that he thinks that we may come in a little ahead.

Rep. Hogancamp moved to approve the third quarter budget, Rep. Pratt seconded, voted unanimously.

There being no further business, the meeting ended at 6:52 PM.

Minutes approved by phone on 12/52005

A rectangular box containing a handwritten signature in black ink that reads "Barbara Hull Richardson".

Barbara Hull Richardson

MINUTES
Cheshire County Delegation Public Hearing
And Delegation Meeting following
Monday, November 21, 2005 7 PM
Jury Assembly Room, Keene, NH

PRESENT: Representatives Allen, Butynski; Butcher; Coates; Dexter; Dunn; Eaton; Espieffs; Emerson; Hogancamp; Mitchell; Parkhurst; Plifka; Pratt; Richardson; Roberts; Robertson; Sawyer; Tilton; Weed; Commissioners Zerba, Sistare and Moore, Administrator Wozmak; Finance Director Trombly, Ex. Asst. Warren.

The hearing was opened by Chairman Dexter at 7 PM. He explained that the public hearing is on the jail project and the discussion will be on the sites. He stated that if someone has already covered a point he will limit the time to speak. The Commissioners will keep a list of questions and respond to them. Unless the majority of the members of the delegation request it, there will not be a motion on the jail bond tonight.

Alex Henkel, citizen from Keene, stated that it would be a mistake to consider the Aldrich property as a site for the jail. A copy of his comments are attached to these minutes.

Richard Cate, citizen from Westmoreland, stated that the jail in Westmoreland is 14 miles from Keene and services and that there would not be a detoxification center if the jail is in Westmoreland, and this is needed. He also stated that the topography of the plateau site was incomplete and did not show exact locations or details about the building.

Bruce Clement, citizen from Westmoreland, brought a soil survey book from soil surveys completed in 1984 of Cheshire County. He distributed a diagram and described how the plateau site was marked on the diagram, which indicates that the slope is too severe for building. He was asked if the soil type and conditions were the same that the nursing home was built on. He responded that it was the same soil.

Chairman Dexter stated that there would be a field trip planned for the plateau site within a couple of weeks.

Rep. Dunn stated that he walked the plateau site and that he walked through a lot of water. He thinks that to build on that site would be nearly impossible because of the water in addition to high costs of building.

Rebecca Todd, a lawyer hired by a small group called the Concerned Citizens of Westmoreland, had two issues to present, one regarding the supply of water which is either from the Connecticut River or from a well on the site. If a jail is built in Westmoreland, she said the water supply is inadequate for the increase in number of inmates in the jail. The second issue is that the wastewater treatment plant has to be expanded for a new jail. She claimed that the WWTP has been in violation of the NH Department of Environmental Services for several years. She stated that the citizens could sue because of these violations at the wastewater plant, whose fines could cost up to \$5 million, according to her understanding of the regulations. She said the recent flooding in Westmoreland created a loss in the riverbank. The Army Corps of Engineers proposed a project to repair this but this has not been funded in 2005 or 2006. Rep. Pratt stated that he thought funds were

appropriated for the bill for this flood damage. Administrator Wozmak stated that the ACOE has not yet received necessary matching funding but there are county funds in reserve that were allocated for when the federal government appropriates the remainder of the matching funds. Wozmak explained that Louis Berger Group has been in touch with FEMA ever since this project began and they have never suggested that it was impossible to expand the lagoons. Wozmak suggested that the delegation listen to the experts and not rely on commentary from citizens as their information source.

John Byrnes, a citizen of Keene, stated that he is in support with the Commissioners and thinks that this issue needs to come to a conclusion.

Mike Brown, citizen of Keene, asked if there is any data collected on where the voters want the jail to be.

Mr. Baker, citizen of Westmoreland, asked about liability for building in a flood plain and to address FEMA regulations.

Steve Lindsey, citizen of Keene, noted that a jail in Westmoreland is isolated from the community and the new one should be built on well-traveled roads.

John Byrnes, citizen of Keene, stated that he is concerned about rising costs and that the delegation should end the debate.

John Harris, citizen of Westmoreland, applauded the patience and consistency of the delegation. He believes that issues exist. He felt that if the jail is built in Westmoreland, a detoxification center and transitional housing would be lost. He stated that this is a 100 year decision and should be thought out. He feels that Westmoreland should be taken off the table at the next vote.

Walter Derjue, citizen of Westmoreland asked about soil samples that were gathered from the Plateau site.

Ceil Goff, citizen of Westmoreland stated that she worked as a social worker for MFS for 17 years and feels that there should be access to services for the jail.

Citizen Attorney Rebecca Todd stated that this issue is not a case of NIMBY (not in my back yard).

The Mayor of Keene submitted a letter for the record and that record has been included as part of these minutes.

The public hearing was closed at 8:30 PM.

A short break was taken before the Delegation meeting started.

Chairman Dexter opened the delegation meeting at 8:45 PM.

Rep. Sawyer moved to reallocate \$3,100 of the Farm's unused 2005 capital outlay funds, due to savings realized from the purchase of a used tractor, and to use those funds for the purchase of a logging machine in order to replace the current piece of equipment, seconded

by Rep. Allen. Discussion followed. Rep. Weed called the question. Roll call vote resulted in a 20 – 0 vote, motion passed.

Commissioner Zerba gave an overview of the many sites that we were asked to look at as a jail site. He reviewed some of the water and sewer issues that have been identified by the engineers. He reviewed an article from the Keene Sentinel about the DES engineer regarding the wastewater treatment plant underscoring that DES has no problems with the operation of the plant. Zerba quoted the DES spokesperson who said that it is easier to expand an existing plant than to build a new one. The article in the Sentinel followed an open house at the wastewater treatment plant where representatives from DES were available to answer questions for the public. Zerba explained how our engineers reviewed the plateau site and considered it a useable site even though it had more earthwork than other sites, such as Bardwell.

Rep. Hogancamp asked who looked at the lagoon. Administrator Wozmak stated that representatives from both the DES and the federal EPA oversee the operation of the plant and that we send both of them monthly reports on a number of monitoring tests performed at the plant.

Rep. Robertson asked if his request to look at trading a piece of property between the Borden and the Aldrich's was followed up. Commissioner Zerba stated that it was not a site the delegation wanted to look at as a jail site. From the jail forum, the three specific sites were the Westmoreland site, the Bardwell site and the Aldrich property.

Rep. Dunn spoke to his concerns about the Westmoreland plateau site being wetlands, acknowledging that he was a retired Humanities teacher and not an engineer. Nonetheless, he was shocked at the amount of water on the site. After a round of debate and discussion, **Rep. Dunn made a motion that the delegation no longer refer to it as the 'plateau site', seconded by Rep. Allen, The motion passed upon a voice vote.**

Rep. Weed stated that with all the issues involved with global warming, we would be foolish to consider a site anywhere near a flood plain.

Rep. Roberts stated that he walked the site also and that it is wet. He also stated that as to each site and the number of criteria, that each person favoring one site over the other has some factual correctness to their argument, and people need to understand that everybody is a little bit right.

Rep. Pratt asked Commissioner Zerba whether the Commissioners would ever accept that the delegation does not want the jail in Westmoreland if they would come forward with another site. In response Zerba asked Pratt if the delegation would vote on Bardwell and if the delegation would take it off the list if it was not favored.

Rep. Sawyer asked for clarification of what sites the delegation has voted for.

Rep. Tilton asked why the Commissioners are voting against their own report. Commissioner Zerba stated that the information she is talking about came from a consultant's report. Commissioner Zerba asked if he could get a vote on the Bardwell site.

Rep. Weed moved to take a straw vote on the Bardwell property, Rep. Allen seconded. Discussion followed. Then a motion was made whether any straw vote should be taken, upon a narrow voice vote the motion to take a straw vote failed.

By the end of the meeting, it was determined that the date of Saturday, December 3 at 10 AM would be the date to make a site visit to the Westmoreland Plateau site.

Monday, December 12 will be another public hearing and a vote on the jail bond.

There being no further business, the meeting was recessed at 9:30 PM.

A rectangular box containing a handwritten signature in black ink that reads "Barbara Hull Richardson".

Minutes approved by phone on 12/5/2005

Barbara Hull Richardson

MINUTES
Cheshire County Delegation
Monday, December 5, 2005 7 PM
Jury Assembly Room, Keene, NH

PRESENT: Representatives Allen, Butynski; Butcher; Coates; Dexter; Dunn; Eaton; Espiefs; Emerson; Foote; Parkhurst; Pelkey; Plifka; Pratt; Richardson; Roberts; Robertson; Sawyer; Tilton; Weed; Commissioners Zerba, and Sistare; Administrator Wozmak; Ex. Asst. Warren; David Lay, SMRT; Steve Horton, Steve Tarbox, Bruce Lyman, MacMillan Co; Rick Stewart, Louis Berger Group.

The hearing was opened by Chairman Dexter at 7:05 PM. He explained why the meeting was scheduled, which was because it was within the time frame of the public meeting to allow for a vote on the jail. He explained that the architects and engineers were present in order to answer any questions that the delegation may have.

David Lay distributed a proposed project schedule for a construction project that indicated the costs that are expended at the various stages of the project.

Steve Horton from MacMillin Construction Company stated that in order to answer detailed engineering questions that have been presented recently, it is a little early in the process and a commitment to a site is required in order to answer some of those questions. Rep. Allen asked if the building were put on a flat site would timing be different. David Lay stated that every site has different problems and it's not that simple to say a slope will take more time or money than a flat site.

One member of the delegation asked what preliminary work has been done and what risks there are concerning sites. David replied they can build on any sites, but he cannot state all the risks involved ahead of time. They have done some preliminary research into the sites, soil, sewer and water issues, wetlands, and grading. He stated that for instance, the Aldrich site wetlands are extensive. In addition, because of the terrain, the building would have to be redesigned.

Rep. Dunn asked if this presentation was made seven years ago when the jail was first considered and why we were getting this information now. Rep. Robertson stated that he thought we were here to decide on a site. He stated that as far as he was concerned, Westmoreland is not in consideration as a site. Chairman Dexter asked if the chart distributed would apply to any project, not just the county jail, David stated that it would. Chairman Dexter asked that the study has not been done, so we don't know about the wetlands nor do we know where the building is going to be placed. David stated that they do not have an exact number or exact site but that in general, the wetlands are not believed to be a significant problem.

Rep. Roberts stated that he believes that all the questions on all the sites should be answered no matter what the costs.

Rep. Tilton asked if the chart is specific to any site, David stated that it is not. She then asked why the Commissioners keep coming back to the Westmoreland site if all other matters are equal. Commissioner Sistare stated that it is because there is a cost savings of about \$70,000 a year in operational costs compared with other sites. In response to a question from Rep. Eaton,

Administrator Wozmak stated that some of the costs related to Keene would be in capital costs in providing transportation for inmates located in a different area other than Westmoreland.

Rep. Pratt made a motion that the delegation express and urge the Commissioners to take Westmoreland off the table as a jail site, seconded by Rep. Robertson. Rep. Parkhurst expressed concern for a vote being taken when four members of the delegation are not present. Rep. Pelkey stated that he cannot vote to take a site off the table if it is going to save us money, Rep. Coates agreed. Rep. Espiefs noted that he understands the concerns for services for the inmates, but in spite of the location, many services are already offered. Additionally, most inmates are there for 30 to 60 days and there is not that much that can be done with inmates in such a short length of time.

Chairman Dexter stated that the reason for the delay of a bond vote was to give the Commissioners time to gather the information asked for regarding the sewage treatment plant, drainage issues, wetlands mitigation costs, because we do not know what those numbers are. **The motion was called and a roll call vote taken, with 10 votes no and 9 votes yes, motion failed.**

Rick Stewart, identifying himself as a civil engineer stated that he can give some information regarding the wetlands issue for the Westmoreland site, which he believes is about an acre of wetlands, which typically requires mitigation of about 1 ½ acres, for a cost of about \$225,000. He stated that in evaluating the Aldrich site, he used maps that already included that information. Rep. Pratt asked what is done with the stream running through the property. Rick stated that it is filled and the water is diverted and/or piped.

Rep. Pratt asked a question about the wastewater treatment plant. The wastewater treatment plan was studied and the costs were included in the memo from the Commissioners of November 5. Chairman Dexter asked about the size of the pipe that would be used to bring the waste down the hill. Rick and David stated that it would probably be an 8 inch pipe.

Rep. Tilton asked about water supply for the jail. David Lay stated that there is a water tank on the top of the hill and it would be about 1,000 feet from the jail. Administrator Wozmak said that the purpose of studying the water and wastewater treatment plants at this time is it appears useful to get specific information now and that the County knows that regardless of where the jail goes, both systems will need updating, renovation or expansion as both plants are approaching 20 years of age. He said that there are periodic quality problems and water quality standards are evolving along with new technologies for treatment. Thus, the current study will be useful for this work that will likely be proposed within the next few years.

Rep. Pratt asked how many cubic yards of dirt would have to be moved to prepare the Westmoreland site. Lay said it would require moving about 125,000 cubic yards moved on the site from one area of the site and moving it to other areas (a so-called “balanced site”); for Bardwell it would require about 40,000 cubic yards fill to be brought in to prepare the land for construction.

Rep. Pratt asked if a third lagoon could be built away from the current lagoons. Rick and David stated that ideally, it would have to be near the current location. Rep. Pratt asked if FEMA has stated that a new wastewater treatment plant would have to be built. Rick stated that no one as of yet is requiring that a new facility be built but if one was, he thought a new one would cost about \$1.5 million. Rick explained that the floodway line cuts through the middle of the current lagoons

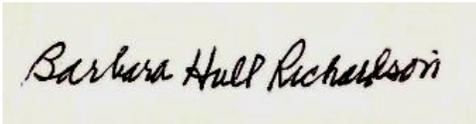
and that there is floodplain around half of the lagoons that could be built upon, with government approval.

David stated that most issues relating to the development of the site are considered when estimating a project but there are always an unknown factors including inflation, but there are other things that happen that save money and it usually ends up balancing out.

Rep. Espie asked Attorney Berkson about the eminent domain process. He responded that there is a statutory process, the property must be appraised, and the owner is approached to work out the details. If you cannot arrange for a voluntary transfer of the property, money is placed in escrow and a deed is recorded, taking the property after a public hearing on the need for the taking. If the owner doesn't accept the price, it would go to court for the court to decide the fair market value of the taking. There was further discussion on the process and negotiation of eminent domain.

Rep. Pratt moved that the professionals be thanked for their information and we move into nonpublic session at 9:10 PM to consider the acquisition, sale or lease of real or personal property which if discussed in public would likely benefit a party or parties whose interests are adverse to those of the general community. The motion was approved by a voice vote. As a result of the deliberations in nonpublic session, no decisions were made and no vote taken. The Representatives unanimously returned to public session at 9:37 PM.

There being no further business, the meeting was adjourned at 9:45 PM.



Minutes approved by phone on 12/13/05

Barbara Hull Richardson

MINUTES
Cheshire County Delegation
Public Hearing and Meeting
Monday, December 12, 2005 7 PM
Keene Public Library, Keene, NH

PRESENT: Representatives Allen, Butynski; Butcher; Chase; Coates; Dexter; Dunn; Eaton; Espieffs; Emerson; Foote; Hunt; Hogancamp; Mitchell; Parkhurst; Pelkey; Plifka; Pratt; Richardson; Robertson; Sawyer; Tilton; Weed; Commissioners Zerba, and Sistare; Administrator Wozmak; Ex. Asst. Warren; Neil Berkson, Esq.; David Lay, Arthur Thompson, SMRT; Steve Horton, Steve Tarbox, Bruce Lyman, MacMillan Co; Rick Stewart, Judy Houston, Louis Berger Group.

The hearing was opened by Chairman Dexter at 7:08 PM. He explained that the public meeting was to allow the public to make comment.

Bruce Clement requested the presentation by the panel be given to the public before the public meeting so the public can hear the presentation. Chairman Dexter stated that the public has heard many of things that are being considered. Rebecca Todd stated that it makes sense to have the panel make the presentation first.

The members of the delegation, the Commissioners, county employees and panel introduced themselves.

Commissioner Zerba spoke to the 2006 budget process, and explained that the 2006 Commissioner's proposed budget is reviewed by the executive committee in January and February. The 2006 budget is \$28,465,001. This figure represents an increase of \$1,174,576, (4.30%) over the 2005 adopted budget. Taxes to be raised are proposed at \$13,802,883. This figure is an increase of \$1,811,942 (15.11%) over the 2005 adopted budget for taxes to be raised. There are several areas contributing to the 2006 budget increase and taxes to be raised. They include Health Insurance costs which have increased overall by \$237,109.00 (11%). This increase was distributed to both employer and employee with the county absorbing \$202,340.00 and employees' contributions increasing \$34,769.00. Merit and COLA increases account for approximately \$676,810 in payroll and benefit increases. The Commissioners have factored into the 2006 budget a 3.50% COLA increase for county employees. Personnel request changes for 2006 account for an additional \$67,141 in payroll and benefit costs. The new positions include shifting a contracted part time Mental Health Clinician at the Department of Corrections to a full-time on-staff employee. The cost of having the clinician on staff effective 3/1/06 is \$54,157. \$12,984 has been added to the Computer Operations Department to increase a part time Computer Technician to full time.

The Human Service Categoricals have increased in total by \$220,151, and rising energy costs are up by \$163,363 in fuel and electricity expenses. Expenses, such as food for the Dietary department, are affected.

Revenue decreases have caused an increase in taxes to be raised. The elimination of boarding Federal Inmates has resulted in a decrease of revenue of \$350,000 for the Corrections budget.

Rep. Sawyer asked about the addition of personnel for UNH. Director Trombly stated that it is additional payroll expense for the cooperative extension forester. Historically, this position has been jointly funded between the federal, state and county government. However, the federal share has

been level funded for years and this has exerted pressure on the state and county government to make up the difference to offset inflation and rising costs.

Rep. Robertson asked about the 3.5% COLA. Director Trombly stated that the 3.5% is a cost of living adjustment which affects the whole payroll.

Chairman Dexter explained that the delegation is presented with the Commissioners' proposed budget at this time of the year and then the executive committee reviews the budget line by line starting next month. Rep. Weed asked if there has been any cost shifting from the state to the county. Chairman Zerba stated that there has been a \$130,000 downshift. Rep. Weed asked about the increase in the Commissioners' legal expense. Administrator Wozmak stated that the request was because of the anticipated legal expenses relating to the jail.

Rep. Allen spoke to the public that as a member of the executive committee, he assures the public that the administration of the county is very professional.

Chairman Dexter asked about the regional prosecutor program. Dexter said he received a letter from Swanzy Police Chief Busick that Swanzy is requesting that the county consider taking over the program due to its rapid growth and the administrative burdens it places on his police department. Administrator Wozmak stated that he has been advised by the Commissioners to review the request and come forward with recommendations as to the county's role in this program.

There being no further questions or comments regarding the Commissioners' Proposed 2006 budget, the public hearing on the budget closed at 7:35 PM.

The public hearing on the jail opened at 7:36 PM.

Attorney Neil Berkson explained that he is representing the commissioners regarding a jail in Westmoreland. He explained that the commissioners and the delegation have a mutual veto on the jail. He quoted the jail forum panel that held a forum on September 21 that it doesn't matter where the jail is; just build a jail. He addressed the incorrect statements that were made regarding fines for the wastewater treatment plant. Attorney Berkson reviewed some of the programs that are being held at the jail, and noted that the biggest problem with providing these services is lack of space and funding, not location. He reminded those present that the average stay is three months, not enough time to change someone's life. All the issues involved with the jail in Westmoreland, wastewater, water, wetlands, location, can be resolved.

Chairman Dexter stated that this is a public meeting and he would like to hear from the public.

Rep. Robertson spoke regarding the quoted statistics from the daily statistical 'snapshot' produced by the jail indicating some fairly long lengths of stay for some inmates. Superintendent Van Wickler stated that the inmate information Rep. Robertson is quoting is from only a snapshot of the inmates on the date the information was requested and that the statistical information is taken over a period of time. He stated that he agrees with the other superintendents, that the jail needs to be built, but his preference is the Bardwell site, although he just wants the jail built. Superintendent Van Wickler stated that he is begging that a decision be made.

Chairman Dexter referenced a NIC report from 2000 that stated the jail should be built near a courthouse. Arthur Thompson of SMRT stated that there are multiple reports concerning moving inmates to the courthouse from the jail and that the costs are insignificant compared to the need for expansion. He said that in his experience, most jails are not built near courthouses.

Rep. Chase mentioned a transitional work program which was mentioned by the county consultant, who stated that we have a "shockingly high" rate of recidivism and that the best thing we can do is get the inmates into the local work force, but this cannot be done because of the distance from Westmoreland to the businesses in Keene. Superintendent Van Wickler stated that the mission of corrections is the care, custody and control of inmates. He stated that he can provide services, but the primary mission is care, custody and control. The population of inmates that can participate in a transitional work program is about 4%. He explained that he has a building planned for minimum security for inmates in a work release program.

Rep. Pratt stated that this is a public meeting and he wants to hear the public.

A resident from Swanzy stated she thought this meeting was to see if Westmoreland is out of the picture. She asked if they are looking at moving the courthouse. Chairman Dexter stated that it was discussed but there was no definite plan.

Rick Stewart addressed the water treatment (WTP) and wastewater treatment plants(WWTP). There is excess capacity in the wastewater plant but not for the full expansion of the jail. However, capacity is only one part of the problem; the other part is operational. The WWTP operational issues were addressed by Judy Houston, an engineer from Louis-Berger. She stated that there are several operational issues that can be fixed. The laundry soap affects the lagoons, the milking equipment dumps waste into the system. The county is trying to come up with resolutions now. The Water Treatment Plant is working fine but has several operational issues. There is a well on the site that is used when other issues prevent using river water. Rebecca Todd asked about the affect of removing what is coming from the jail to the WWTP. Judy stated that the issues with both the water and wastewater plants would still exist and system improvements would have to be made no matter where the jail was located. Rob Riendeau stated that he believes that there would still be the same problems (with lower volume if the jail were moved), but there are many factors involved and he cannot answer them. He deferred to the engineers who are doing the current studies.

Rep. Chase asked if we built a jail, would we have to expand the capacity of the wastewater plant, Richard Stewart stated that we would eventually, but not immediately as near as they can tell at this point.

Westmoreland resident Richard Meyer stated that the lagoons are in the flood way. Louis-Berger engineer Judy Houston corrected him, stating that part of lagoon #1 is in the flood way, the balance of the treatment plant is in the flood plain, which can be built upon. She stated that there are other methods to increase capacity other than adding another lagoon and that these alternatives will be considered as part of the study currently underway. The existing permit would handle the capacity.

Swanzy Selectman Bob Beauregard criticized the delegation for micromanaging the Commissioners' decisions about the location for the jail. He urges the delegation to vote on the Westmoreland site and not waste so much money.

Rebecca Todd stated that FEMA has revised the flood insurance maps and this brings the lagoons in the flood way. It was mentioned that the maps for insurance zone designation purposes are specifically noted as not being suitable for use for either flood mitigation or construction purposes and that using the insurance maps presents an inaccurate picture of the floodway for purposes of construction.

Resident of Westmoreland stated that the major costs are the WWTP and he believes that the county has broken the rules. Attorney Berkson stated that the state wants to resolve the problems at the WWTP, not inflict fines. He reminded the audience that the state does not have any significant problems with the operation of the current plant even though there are periodic violations. Dick Cate stated that we have known about this for years. Richard Meyers stated that this is a political log jam. Rebecca Todd asked if the \$32 million includes money for the WWTP. David Lay stated that \$550,000 is for the WWTP and \$330,000 is for the WTP. This money will handle the facility issues, not operational issues.

Citizen Nancy Ranson stated that she feels the architects are reiterating the problem but not giving solutions. The architects stated that the issues will be dealt with when the site is selected.

Roger Johnson a resident of Swanzey stated that he walked the site and he worked on the construction of the nursing home and it was a site that looked the same as the plateau site. He doesn't think the jail will affect Westmoreland as it has been there for 150 years. He stated that the county commissioners should be given a chance to do their job.

Attorney Berkson stated that the wetlands consist of about one acre, and Rick Stewart confirmed this.

Westmoreland resident asked about the cost for rebuilding the lagoon and work on Partridge brook. Administrator Wozmak stated that the jail project had an allocation for this work, which will have to be done even if the jail does not go in Westmoreland.

Rep. Dexter asked about site development. The NIC recommends that a jail be built for expansion. David Lay stated that expansion is included in the plans.

Dick Cate asked if there are any concerns regarding the geotechnical report. David Lay stated that the borings are preliminary, and adjustments are made as the process continues.

Sue Nelson stated concerns regarding construction equipment using the bridge. Steve Tarbox stated that there will not be truckloads going over the bridge because the soil will be moved from one location on the site to other portions of the site to prepare the site, and equipment will be kept at the site. Therefore, there will not be many loaded trucks coming and going from the site.

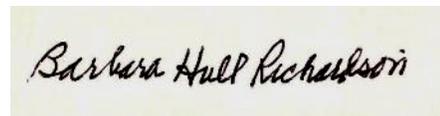
The Chairman asked if there were any more members of the public wishing to speak. Hearing none, the public hearing closed at 9:10 PM. Delegation meeting resumed at 9:25 PM.

Rep. Hogancamp made a motion to raise and appropriate a sum not to exceed \$32 million (\$32,000,000) to finance the costs associated with the design, construction and equipping of a county correctional facility located on county owned land in Westmoreland, NH, such sum to be raised through the issuance of bonds or notes pursuant to the provisions of RSA

28 and RSA 33, as amended; and to authorize the County Commissioners to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof, seconded by Rep. Parkhurst. Rep. Chase moved to amend the motion that the \$32 million include all costs, motion failed for lack of a second. Rep. Espiefs asked what guarantee does the county have that the construction will not go over, Steve Horton from MacMillin stated that the estimate includes everything they can think of and they use historical data to establish the costs. They are one of the few companies that can be bonded for that amount. Rep. Parkhurst asked if the job MacMillin now seems to have was put out to bid, David Lay stated that ads were run seeking construction managers/contractors to submit proposals, that there were many responses that led to four interviews before a panel who selected MacMillin. Steve Horton stated that 97% of the job will be competitively bid. Rep. Eaton called the question, Rep. Pelkey seconded, voted unanimously. **Roll call vote taken resulted in 14 no and 9 yes votes. Rep. Hogancamp's motion failed.**

Rep. Eaton made a motion to increase the mileage rate for travel reimbursement for delegation members meeting attendance to the current IRS rate, starting January 1, 2006, seconded by Rep. Parkhurst, voted unanimously.

There being no further business, the meeting was adjourned at 9:44 PM.



Barbara Hull Richardson

Minutes approved by phone on 12/28/05