

MINUTES
Cheshire County Commissioners Meeting
Wednesday, April 16, 2014 9:30AM
Administration Building
33 West Street, Keene, NH

PRESENT: Commissioners Pratt, Rogers, and Zerba

STAFF: County Administrator Wozmak, Director of Finance Trombly, Superintendent Van Wickler, County Attorney McLaughlin, Captain Croteau, Communications Director Crowell, Grants Manager Desrosiers, Human Resources Manager Hurley, and Assistant County Administrator (ACA) Bouchard.

GUESTS: NH Superior Court Chief Justice Tina Nadeau and Enfield NH Chief of Police Richard Crate.

At 09:33AM – Commissioner Rogers opened the meeting and recognized Administrator Wozmak who provided the weekly operations review:

- Administrator Wozmak discussed NH RSA 166:20 which covers the liens that are placed on real property for County nursing home residents with no other means of paying for care and services. The language of the RSA is as follows:

RSA 166:20 - The amount of money spent by a county to support a county assisted person under this chapter shall, except for just cause, be made a lien on any real estate owned by the county assisted person. The liens are effective during the lifetime of the county assisted person, or until enforced as provided in this chapter, or until released by the county commissioners. The county commissioners, in their discretion, may file a notice of the lien or an acknowledgment of satisfaction of the lien with the register of deeds of the county in which the county assisted person owns real property. A notice of lien which contains the owner's name and a description of the real property sufficient to identify it is a valid lien on the property. The register of deeds shall keep a suitable record of such notices without charging any fee therefor, and he shall enter an acknowledgment of satisfaction of the lien upon written request of the county commissioners, without fee.

Wozmak discussed this law as a way of recapturing fees for services and care instead of retaining legal counsel to pursue civil remedies for payment. Wozmak said that more research is needed to better understand the ramifications of using the RSA to recapture funds expended for resident care but that it seems to offer a lower cost way than pursuing litigation for payment.

- Wozmak then reported on the completion of the Commissioner's Annual report for the County Annual Report that is being prepared.
- Wozmak then discussed the responses by eleven (11) companies to the RFP that was recently issued for renovation work at the old courthouse. Mandatory walkthroughs will be conducted by the end of next week for all of the companies that responded to the RFP.
- Wozmak reviewed the meetings that were recently held by the State on Medicaid Managed Care and said that many of the details for the program still need to be worked out. He went on to say that even many of the high level operational procedures were still not in place and many of the people that attended the meeting were unsure how to proceed.

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At 9:44AM the Commissioners recognized Grants Manager Desrosiers who presented a request to receive funds for the implementation of a grant for installing a fixed wireless high speed data link to the Mobile Command Post for the Sheriff's department. **Following review and discussion, Commissioner Rogers moved to accept the grant in the amount \$6,065.00 for installing a fixed wireless high speed data link in the Mobile Command Post and was seconded by Commissioner Zerba. Upon vote the motion passed unanimously.**

The Commissioners then reviewed the Master Item list and no changes were made.

Administrator Wozmak then reviewed the recently issued Blood Farm RFP and said that two firms were interviewed for the RFP and one of the firms chose to withdraw following the interview process. He said that the remaining firm, Re/Max Realty of Keene would be awarded the bid following approval from the Commissioners. **After numerous questions and discussion, Commissioner Rogers moved to award the bid for the marketing of the Blood Farm to Re/Max of Keene. Commissioner Zerba seconded the motion and upon vote the motion passed unanimously.**

Master Item #45: Discussion of working with a Commercial Real Estate Broker for the reuse of the Old Jail was taken-up. As this was the second week that this item was discussed the Commissioners briefly reviewed the purpose of identifying a Commercial Broker that would work on finding a reuse of the old jail building in Westmoreland. It was generally agreed that this would be the final effort to discover a way to reuse the facility before a recommendation to demolish the building would be made to the Delegation in the coming year. **Commissioner Rogers moved to authorize the County Administrator to publish an RFP to find a Commercial Real Estate Broker to advise on the marketability of the building and to recommend uses and possibly market the old jail building in Westmoreland for the purpose of leasing the facility for a commercial use. Commissioner Zerba seconded the motion and upon vote the motion passed unanimously.**

Superintendent Van Wickler was then recognized and he presented the Commissioners with an award that was recently given to the County at an event he was asked to attend for supporting the employees of the county who are Guard and Reserve members. He said that the County was recognized for outstanding support of the Guard and Reserve personnel who were deployed to duty locations and who were able to return to their jobs once their tours of duty were complete, including some members who were out over a year. The Commissioners discussed the number of personnel who were affected and said that they were pleased to be able to support the Guard and Reserve members and that Superintendent VanWickler was to be commended for his willingness to work with the issues imposed on the Department of Corrections in supporting the deployed troops.

The Weekly Census was reviewed and discussion regarding the changing population at the DOC began. Also noted was higher resident levels at the nursing home.

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The Commissioners reviewed the manifest and **Commissioner Zerba moved to accept the manifest as presented and the motion was seconded by Commissioner Rogers. Upon vote the motion passed unanimously.**

The Commissioners then reviewed the minutes of April 9, 2014 and Commissioner Rogers moved to accept the minutes as amended. Commissioner Zerba seconded the motion and upon vote the motion passed unanimously.

The Commissioners meeting schedule was then reviewed and ACA Bouchard discussed the meeting dates that were changed to accommodate the Employee Recognition day coming up in May. Following a short discussion the Commissioners approved the changes and Bouchard will publish the revised dates to the staff.

Master Item #47: *To discuss the 2014 budgeted study for the rehab of Maplewood Nursing Home and to prepare and release an RFP for said study* was then discussed. It was decided that the next steps to complete the task was to prepare a Delegation agenda item for the next Delegation and discuss the possible configuration options. Administrator Wozmak will prepare the documentation for this item.

At 10:21AM - Pursuant to RSA 91-A (II) (a), (b) and (c), Commissioner Pratt moved to go into non-public session to discuss the hiring of any person as a public employee. Commissioner Rogers seconded the motion and upon vote the motion passed unanimously.

Following review and discussion of a request to hire S. S. as grant funded Prevention Specialist, Commissioner Rogers moved to hire S. S. at a rate of \$23.08 per hour based on her background, education, and experience to start as of April 21, 2014. Commissioner Zerba seconded the motion and upon vote the Motion passed unanimously.

At 10:28AM the Commissioners voted unanimously to exit non-public session.

At 10:29AM Pursuant to RSA 91-A (II) (a), (b) and (c), Commissioner Pratt moved to go into non-public session to discuss the dismissal, promotion, or compensation of a public employee or the disciplining of such employee, without that employee having requested an open meeting. Commissioner Rogers seconded the motion and upon vote the motion passed unanimously.

The Commissioners then reviewed a request from HR Director Hurley for an unpaid leave of absence based on a medical condition following the expiration of FMLA for an employee. After a short review of the request Commissioner Rogers moved to authorize a six (6) week non-paid, leave-of-absence for B. M. Commissioner Zerba seconded the motion and upon vote the motion passed unanimously.

At 10:31AM the Commissioner voted unanimously to exit non-public session.

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At 10:38AM NH State Superior Court Justice Nadeau was welcomed to the meeting by the Commissioners and she discussed a plan for the streamlining of the handling felony prosecutions within Superior Court. Under the new plan being considered, all felony prosecution cases would begin in Superior Court instead of District Court as it is now done. Judge Nadeau presented a PowerPoint overview of the changes and discussed the potential impacts on the Courts.

The Commissioners asked a number of questions concerning the possible fiscal impact of the changes on County and the County Attorney's staffing needs and the reasoning behind the changes.

County Attorney McLaughlin said that was likely that if the program is implemented as outlined he would at least need to add temporary Assistant County Attorney's to cover the arraignments in Superior Court that would be required under the program.

The Commissioners expressed their concerns about being required to fund any additional Full Time Attorney's positions from the County budget and discussed what alternatives would be possible.

Grant Manager Desrosiers asked Judge Nadeau if anyone at the Attorney General's office has looked into the possibility of obtaining grant funding for these positions in lieu of passing the costs down to the individual counties. Judge Nadeau said she wasn't aware of such a plan but that the option should be explored and considered.

Following a wide ranging discussion of the current court operations and the impacts that the proposed changes would have, the Commissioners thanked Judge Nadeau for taking the time to review the program with them. County Attorney McLaughlin will be participating in a trail program set to begin shortly that will focus on Early Case Resolution (ECR) that is part of the proposed changes.

At 10:39 County Attorney McLaughlin was recognized for the purpose of presenting his Quarterly Report to Commissioners. McLaughlin reported the following:

First Quarter 2014

The County Attorney's Office has had no personnel changes this quarter. 127 felony case files were referred to our office, and a Victim/Witness Coordinator was assigned to all of these cases. 61 individuals were indicted, on a total of 167 charges. In this quarter 2 jury trials were held. 24 felony level cases were resolved as misdemeanors at the Circuit Court level. Our office handled 23 Violations of Probation, and 6 Superior Court Petitions to Annul.

The Regional Prosecutor Program has had one personnel change this quarter. Adam Woods accepted a felony prosecutor position with the Belknap County Attorney's Office, and Vanessa Wilson has stepped in as part time Circuit Court Prosecutor. 194 cases were handled by the Regional Prosecutor's Office during this time period. This includes new misdemeanor and felony cases. A Victim/Witness Coordinator was assigned to 3 of these cases, 1 of which will be referred

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for felony prosecution. In addition, A Victim/Witness Coordinator was assigned to 5 Circuit Court cases out of the Keene Police Department, 3 of which will be referred for felony prosecution.

The Domestic Violence Prosecutor reviewed 5 Felony Domestic Violence cases and 4 Misdemeanor Domestic Violence Case this quarter. A Victim/Witness Coordinator was assigned to each felony case. There were 2 DV misdemeanor appeals that went to trial, and no Felony Domestic Violence cases were resolved as Misdemeanors at the Circuit Court level.

7 One-Party authorizations were issued. 11 untimely death calls were handled in December 2013. 15 untimely death calls were handled in January and February. March figures are not yet available. 12 Abuse and Neglect referrals from DCYF were reviewed.

3 defendants were accepted into the Cheshire County Drug Court program as a result of guilty pleas to felony charges, which brings the total member of participants to 12.

Following a short discussion with CA McLaughlin the Commissioners thanked him for his report.

Commissioner Pratt then discussed the letter that had been received from the Hundred Nights Shelter and directed that the letter be included in the minutes of the meeting. The letter follows:

Dear Commissioners,

I am writing on behalf of Hundred Nights, Inc. to thank you for your wonderful donation of \$5,000.00 from the Hemenway Fund. I understand your dilemma in not using taxpayer dollars, and want to assure you that I will have all proposal documents in on time next time around.

All of the donations we receive are used to help those in need in our community. Our Cold Weather Shelter was open from Dec. 21st until March 31st this year and 115 unique people came in from the cold from 7pm to 7am for a clean bed in a warm and safe space. A total of 1,890 bed-nights were provided during that time. Our Resource and Drop-In Center is open year round from 9 am to 4 pm to anyone in need of a cup of coffee, lunch, access to a phone, fax or computer, some friendly company, snacks and presentations on various subjects.

Please know how very much your gift was appreciated!

Sincerely,

Mindy Cambiar Executive Director Hundred Nights Inc.

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At 12:21PM there being no further business to discuss, **Commissioner Rogers moved to adjourn the meeting. The motion seconded by Commissioners Zerba and upon vote the motion passed unanimously.**

Respectfully Submitted,
R Zerba, Clerk