

MINUTES
Cheshire County Commissioners Meeting
Wednesday October 31, 2018 09:30AM
County Hall Building
12 Court Street
Stillman Rogers Conference Room
Keene, NH 03431

Present: Commissioners Peter Graves, Joseph Cartwright and Charles Weed

Staff: County Administrator Coates, Finance Director Trombly, Sheriff Rivera, Grants Manager Bansley, DOC Superintendent Van Wickler, Major Willis, HR Director May, and Assistant County Administrator Bouchard

Guest(s):

At 9:32AM Chairman Graves opened the meeting and recognized J. Gallagher from the Behavioral Health department for the purpose of presenting Master Agenda Item #623: Semi-Annual Report - Behavioral Health. Gallagher presented the following report to the Commissioners:

**2018 BI-ANNUAL REPORT
CHESHIRE COUNTY BEHAVIORAL HEALTH COURT PROGRAMS
March 28 through October 21, 2018**

	Current metrics for 3/28 to 10/21, 2018	Comparison to 3/27 to 8/28, 2017
Current Client Population =	32	28
Females =	10	09
Males =	22	19
Clients involved in Keene Circuit Court =	16	13
Clients involved in Superior Court =	13	13
Clients involved in both Courts =	03	02
Number of co-occurring =	29	26
Number of just mental health issues =	02	01
Number of just substance use disorder =	01	01
Total Number of Admissions for Time Period =	33	19
Alternative Sentencing Program (ASP) =	06	06
Mental Health Court (MHC) =	27	13
Successful Completions =	17	21
ASP =	04	05
MHC =	13	16
Non-Successful Completions =	07	04
ASP =	01	01
MHC =	06	03
Average Number of Clients per Week =	25	30

NARRATIVE:

The program's client numbers have once again leveled out to a pre-2017 range averaging in the upper 20s and lower 30s. As sighted in previous reports, changes in the courts processing (Felony First Program) is believed to be the cause for the artificial bump in numbers at the end of 2016 and the beginning of 2017. Superior Court now has a handle on the process and the numbers have leveled out.

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That being said, CCBHCP may again see a rise in client numbers as the Courts and the attorneys are making adjustments on how to deal with the new rules governing cash bail. Briefly stated, it is my understanding that the use of cash bail and bond securities will be left up to the Judge to decide based on the Defendant's past criminal history, the endangerment he/she poses to him/herself and/or the community at large and the ability to pay.

The Prosecutor or the Defense Attorney may suggest to the Judge that Community Supervision is needed through the use of CCBHCP. However, because Problem Solving Courts work best with clients who are at high need for services, and for a moderate to high risk to re-offend, this may cause the program to be very selective as to who can be accept based on those criteria. The integrity of the programs must be up held in spite of the prosecution's desire for community supervision on those who do not meet program criteria.

DRUG SCREENING ISSUE:

The drug issue was corrected by the creation of a M.O.U. (memorandum of understanding) with another vender. Dominion is now our lab and they were able to work with the major insurance companies that are being used by the clients and resolved the problem of the insurance not covering the cost.

LONGEVITY (RECIDIVISM) STUDY:

In 2014 CCBHCP began another five-year recidivism study using clients that successfully completed the programs in 2012 and 2013. These percentages reflect the percentage of those who have successfully completed the programs and did not return to the Cheshire County House of Corrections (CCHOC). There have been no changes from the first 2018 biannual report. The results are as follows:

- 2012 MHC clients (n=21) = 53%
- 2013 MHC clients (n = 22) = 78%
- 2012 ASP clients (n = 9) = 89%
- 2013 ASP clients (n = 11) = 76%

STAFFING PATTERNS:

As you may already know, I will be on Medical Level starting October 12th. I am scheduled for a triple bi-pass and will be out anywhere from 6 weeks to 3 months. My co-work Judy Gallagher will be taking on my client load and administrative duties with the help of Alison Welsh and Chris Coasts. Additionally, the Drug Court Staff may also help out if the need is there. The Public Defenders, County Prosecutors and Judge McIntyre and Judge Ruoff have also been informed. I have confidence that all parties will be able to handle any situation that might come up in my absence. If needed I can be reached by phone after October 19th.

Michael Potter, MLADC
Director of the Cheshire County Behavioral Health Court Programs

The Commissioners thanked Gallagher for her report.

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Sheriff Rivera was then recognized to discuss Master Agenda Item #624: NH Highway Safety STEP FFY19 Grant Agreement Execution.

Rivera discussed that the Sustained Traffic Enforcement Patrol (STEP) grant program is run in coordination with the State Department of Safety and explained how it is structured. He said that only five (5) four-hour observation patrols are run each year. He said that the program is something that the Sheriff's department has done for a number of years and that the department will continue to run in conjunction with the County Police Departments.

A further discussion of the operational aspects and how the program is structured to change behavior of drivers was covered. Rivera said that one of the prime focuses is the are under occupants of vehicles who are under eighteen years of age and need to be wearing seat belts at all times.

Commissioner Weed moved to reconsider the previous motion and was seconded by Commissioner Graves.

Bansley then presented a synopsis reports for previous patrols and explained the meaning of the statistics.

Upon vote the motion failed 2-1 with Commissioner Weed voted Yea and Commissioner Cartwright and Graves voting Nay.

Master Agenda Item #625: Authorization for the County Administrator to conduct the sale of real estate. **Action Expected: A motion and vote: To authorize the County Administrator to enter into the sale of the land parcel located at 300 River Road, Westmoreland, NH known as the Blood Farm, on behalf of the County of Cheshire Board of Commissioners and to execute any documentation necessary to complete the transaction.**

Pursuant to NH 28:7 Real Estate ⁽¹⁾. – (Acquisition and Sale of Real Estate) and Pursuant to NH 28:6-a Authority to Contract for Professional Real Estate Services ⁽²⁾, this transaction was authorized by vote of the Executive Committee of the County Delegation on 9 December 2013. A subsequent unanimous vote by the Farm Committee of the Delegation on 8 February 2016 was made to accept the completed subdivision and proceed to sale with the selected Real Estate Broker. The confirmation of the 8 February Farm Committee vote by further unanimous vote of the Executive Committee of the Delegation on 15 February 2016, with the forwarded recommendation to proceed to sale to the full Delegation.

The unanimous vote (20-0) of 16 March 2017 by the full Delegation confirming the authorization of the disposition of the property. To wit: “To accept the subdivision plan of the Blood Farm on River Road in Westmoreland and furthermore to move forward with the sale of such property as subdivided”.

Commissioner Weed moved to authorize Administrator Coates to sign the documents for the real estate transaction for the sale of the Blood Farm. Upon vote the motion passed unanimously.

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At 10:19AM Pursuant to RSA 91-A:3, II(c) Commissioner Weed moved to enter non-public session to discuss matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. Commissioner Cartwright seconded the motion and upon vote the motion passed unanimously.

As a result of deliberations in non-public session no decisions were made and no vote was taken.

At 10:44AM the Commissioner's voted unanimously to return to public session.

At 10:48AM Pursuant to RSA 91-A:3, II(g) Commissioners Weed moved to enter a non-public session to discuss the consideration of security-related issues bearing on the immediate safety of security personnel or inmates at the county correctional facilities by county correctional superintendents or their designees. Commissioner Cartwright seconded the motion and upon vote the motion passed unanimously.

As a result of deliberations in non-public session the Commissioners voted unanimously to authorize a policy change requested by the Superintendent.

A motion was made to seal the minutes for one week by Commissioner Weed and seconded by Commissioner Cartwright and upon vote the motion passed unanimously to protect a decision that would render a proposed action ineffective.

At 11:03AM the Commissioner voted unanimously to return to public session.

At 11:04AM Pursuant to RSA 91-A:3, II(c) Commissioner Weed moved to enter non-public session to discuss matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. Commissioner Cartwright seconded the motion and upon vote the motion passed unanimously.

As a result of deliberations in non-public session no decisions were made and no vote was taken.

At 11:21AM the Commissioner voted unanimously to return to public session.

Coates was then recognized for the Weekly Operations Report.

He said that the New Hampshire Association of Counties (NHAC) Monthly meeting is cancelled for November.

Coates said that a meeting in Concord with Commissioner Meyers and Senscio will take place on Tuesday the 6th and that he and Trombly will attend. The focus of the meeting will be to understand the financial aspects of the proposed program.

Coates said that personnel issue that was reviewed last week has been concluded and further adjudication may be pending.

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Coates said that a no trespassing order has been filed against an individual who was harassing an employee at the nursing home. This is a second step taken following a Temporary Restraining Order (TRO) that was taken out against the individual in the recent past.

Coates said that the Friends of the Keene Library sent a letter to the County thanking us for allowing them to host their annual book sale in the Old Courthouse for the second year and said that they have raised over \$10,000.00 this year.

Old Business: Commissioner Cartwright discussed the green chip bio-mass boiler costs and said that he believed that the existing budget can cover the green chip boiler.

New Business: Commissioner Weed said that the County would be well served to have a public forum for letting the public know what services the County offers and how the public can avail themselves of County services. A discussion of how that goal could be achieved was covered.

The Weekly Census was then reviewed.

The Weekly Manifest was then reviewed with questions from the Commissioners. **At the conclusion of the questions, Commissioner Cartwright moved to accept the Manifest as presented and was seconded by Commissioner Weed. Upon vote the motion passed unanimously.**

The minutes of Oct 24, 2018 were then reviewed and Commissioner Cartwright moved to accept the minutes as amended and was seconded by Commissioner Weed. Upon vote the motion passed unanimously.

The calendar was then reviewed.

General Discussion: None

At 12:00PM there being no further business to discuss, Commissioner Cartwright moved to adjourn the meeting. The motion to adjourn was seconded by Commissioner Graves and upon vote the motion passed unanimously.

Respectfully Submitted,

Charles Weed
Clerk, Board of Commissioners

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(1) NH Rev Stat § 28:7 (2016)

28:7 Real Estate. – When so authorized by the county convention they may purchase such real estate as may be required for county correctional facilities, including county farms, or other county uses, and may repair, enlarge or erect county buildings at a cost exceeding \$5,000; and, with like authority, they may sell any of the county's real estate. Source. 1863, 2735:1. GS 24:3. GL 25:3, 4. PS 27:5. PL 38:7. RL 47:7. RSA 28:7. 1985, 60:1, 404:3. 1988, 89:3, eff. June 17, 1988.

(2) NH Rev Stat § 28:6-a (2015)

28:6-a Authority to Contract for Professional Real Estate Services. –

I. The county commissioners shall be authorized to contract for professional real estate services for the sale or lease of county property as follows:

(a) The commissioners shall publish a request for qualifications for professional real estate services to be procured. The commissioners shall select licensed real estate professionals who have demonstrated competence and qualifications to market the sale or lease of real property.

(b) The commissioners shall prepare a description of its procedures for procurement of professional real estate services. These descriptions shall be distributed to interested professionals subject to the provisions of this section.

(c) The commissioners shall negotiate a contract with the highest qualified firm for professional real estate services at compensation which the commissioners determine is fair and reasonable to the county. In making such determination, the commissioners shall take into account the estimated value, scope, complexity, and professional nature of the services to be rendered.

(d) If the commissioners are unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price determined to be fair and reasonable to the county, the commissioners shall then undertake negotiations with the next most qualified firm in order of competence and qualifications and continue negotiations until an agreement is reached.

II. In this section:

(a) "Professional real estate services" means those professional services of licensed real estate professionals, as well as incidental services that members of the profession and those in their employ may logically and justifiably perform. These services shall include at a minimum a market analysis based on the highest and best use of all county property being sold or leased.

(b) "Licensed real estate professional" means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice the real estate profession in this state under RSA 331-A. Source. 2013, 119:1, eff. Aug. 24, 2013.