

MINUTES
Cheshire County Commissioners Meeting
Wednesday, December 09, 2020
County Hall Pursuant to Emergency Order #12 Pursuant to Executive Order 2020-04
This meeting will be conducted electronically.

Conference Call Information

Phone Call-in Number: +1 646 558 8656

Meeting ID: 409 748 8803

Pin #: 6031233

Present: Commissioners: Charles Weed, Jack Wozmak, and Robert Englund

Staff: County Administrator Coates, Finance Director Trombly, HR Director K. May, Grants Manager S. Bansley, and Assistant County Administrator Bouchard

Guest(s): County Treasurer, Commissioner Elect, Keene City Counselor Terry Clark, Hundred Nights Board and Staff, Henry Lipman, NH Medicaid Director, Office of Medicaid Business and Policy

At 8:30 AM, Commissioner Weed opened the meeting, and County Administrator Coates conducted a roll-call of the Commissioners attending the meeting. Commissioners Weed Wozmak and Englund responded as "present."

Commissioner Weed then moved to conduct this meeting as an emergency meeting under the relevant provisions of NH RSA 91-A, and consistent with the recommendations contained in Executive Order 2020-04 Order 12 issued by Governor Sununu.

Commissioner Wozmak seconded the motion, and upon roll-call vote, the motion passed unanimously.

Emergency Order #12 Pursuant to Executive Order 2020-04

Temporary modification of public access to meetings under RSA 91-A

Pursuant to Section 18 of Executive Order 2020-04, it is hereby ordered, effective immediately, that:

1. Pursuant to Executive Order 2020-04, paragraph 8 provides: "State and local government bodies are permitted and encouraged to utilize the emergency meeting provisions of RSA 91-A to conduct meetings through electronic means while preserving, to the extent feasible, the public's right to notice of such meetings and ability to observe and listen contemporaneously."

2. Pursuant to Emergency Order #2 issued pursuant to Executive Order 2020-04, gatherings of fifty people or more are prohibited.

3. To implement these orders and recommendations, the requirement in RSA 91-A:2, II 1 (b), that a quorum of a public body be physically present unless immediate action is imperative, is waived for the duration of the State of Emergency declared in Executive Order 2020-04.

4. To further implement these orders and recommendations, the requirement in RSA 91-A:2, II 1 (c), that each part of a meeting of a public body is audible or otherwise discernible to the public "at the location specified in the meeting notice as the location of the meeting," is waived for the duration of the State of Emergency declared in Executive Order 2020-04 so long as the public body:

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- Provides public access to the meeting by telephone, with additional access possibilities by
- video or other electronic means.
- Provides public notice of the necessary information for accessing the meeting.
- Provides a mechanism for the public to alert the public body during the meeting if there are
- problems with access; and
- Adjourns the session if the public is unable to access the meeting.

Coates then outlined the rules of the meeting.

1. The public has an opportunity at the beginning of the Commissioners Meeting under "Public Comment" to speak. Community input will not be allowed after that point unless recognized and allowed by the Chair of the Commissioners.
2. All votes will be Roll Call, and when recognized, we are asking that you re-state your name and yes or no
3. If you have a question or motion that you would like to ask to put forward, please state the following, "Mr. Chair, Commissioner (your name) has a question or motion."
4. If you are having issues hearing the call, please text or call the County Administrator at 603-313-9002.
5. Please mute your phones so background noise won't interfere with the meeting.
6. This meeting has been posted on our website so that the community, department heads, and media can listen to the meeting.
7. This meeting is utilizing a Zoom Platform so listeners can join us via audio or audio/visual.

At 8:32 AM, the Chair recognized Bansley to discuss Master Agenda Item #828: Public Health Network SFY2020 and 2021 Grant Agreement Amendment #4. Bansley then explained the purpose of the grant change. A discussion of the impending COVID-19 vaccine distribution began, and it was stated that the first shipment would arrive on December 14th. The implementation of the distribution of the vaccines was covered.

Commissioner Wozmak moved to vote to accept and sign the grant agreement amendment #4 for the Public Health Network SFY20&21 federal pass-through grant from the N.H. Department of Health and Human Services for \$35,000 for public immunizations. Commissioner Englund seconded the motion. Upon roll call vote, the motion passed unanimously.

Master Agenda Item #829 was then taken-up to discuss a Hundred Nights shelter letter requesting additional motel housing funding. Coates reviewed the request and asked the Commissioners to consider assisting the program by covering the cost for two additional rooms at the hotel reserved for winter shelter for the homeless for \$9,025.20. An extended discussion

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concerning the people that would be housed there and how the rooms would be handled during the day time hours.

Commissioner Wozmak moved to grant the Hundred Nights funding request at \$9,100.00 and was seconded by Commissioner England. Upon roll call vote, the motion passed unanimously.

An extended discussion concerning the funding, acquisition, and build-out of the Hundred Nights shelter's proposed bus for winter shelter began.

Master Agenda Item #828: Center for Medicaid Services Nursing Home Per Diem and CFI Waiver Payments Intergovernmental Agreement Regarding Transfer of Public Funds IGT Letter was then taken-up for review and discussion. Trombly and Coates reviewed the agreement letter from CMS that formalizes the previous relationship with all of the State of NH Counties. *"The purpose of this Agreement is to set forth the procedures under which the County will transfer funds for use as the non-federal share of Per Diem Nursing Facility payments and CFI Waiver programs including mid-level care, home support, and home health under this Agreement. It is the intent of the parties that the procedures herein fully comply with all applicable federal and State laws, rules and regulations".*

A discussion of the previous year's transfers was reviewed, and Coates and Trombly said that after a joint review, they do not have any issue with signing the letter as it conforms with what has been in place for many prior years.

Following a question and answer period with the Commissioners, Commissioner Wozmak moved to authorize the County Administrator to manage the interstate transfer of funds to the federal government adhering to the signed Agreement. Commissioner England seconded the motion, and upon roll call vote, the motion passed unanimously.

County Administrator

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

Coates then said that he conducted a follow-up on the payout of vacation pay with other Counties. He learned that only one other County has a full payout of vacation days over the allowed cap, and one other County has a partial payout with the other eight counties having no program in place. The Commissioners agreed to reinstate the previous vacation caps as of December 31st of this year and to provide a one-time payout of vacation days to bring them back to the maximum accrual levels.

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Commissioner Wozmak then moved to authorize a one-time payment for hours accrued above the individual maximum accrual caps and return to the previous rules covering maximum vacation accruals. Commissioner Englund seconded the motion, and upon roll call vote, the motion passed unanimously.

Federal, State, and County COVID-19 Mask Mandate:

Commissioner Weed said that he was concerned that some County Delegation members and staff on Monday evening did not honor the CDC and State and County mask policy requirements.

Commissioner Wozmak asked that the minutes' record that Representatives Jim Qualey, Benjamin Kilanski, Matthew Santonastaso, and Jennifer Rhodes attended the Delegation meeting on December 7th without wearing masks as requested.

A very lengthy discussion about the explosive rate of COVID-19 infection rate in the County then started, and it was learned that the overall infection rate in the County is now at 10% and climbing.

The Commissioners and staff then discussed an article in the Keene Sentinel the previous day (December 8, 2020) written by Anika Clark titled: AS CASES CLIMB, MORE THAN 200 IN N.H. HOSPITALS FOR COVID-19.

The Governor's Emergency Order #74 that was recently issued, was then discussed. It was agreed that some individuals who attended the meeting on Monday, December 7, 2020, did not meet Executive Order's 74 spirits, intent, or the letter-of-the-law presented in the Order.

A far-ranging and exhaustive discussion concerning the alternative options to accommodate individuals who may not be able to wear masks due to medical conditions and physical disabilities began. The prospect of setting up a Zoom meeting in adjunct conference rooms for people without masks was discussed.

Further options to ensure the safety of all persons attending the now limited public meetings will be investigated by the staff. Further discussions with the commissioners will continue in the next few weeks.

Addendum: On December 11th County Administrator Coates at the direction of the County Commissioners issued the following letter informing the Delegation and staff of a policy change for the wearing of masks on all County campuses. It reads in part: ..." *anyone attending a*

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meeting held by the Delegation or by a Delegation member, whether a committee of the Delegation, public hearing, one on one meetings with county staff, or a full Delegation meeting, will be required to wear a mask.

The County will continue to strive to create an environment that meets the CDC's criteria and guidelines with pre-screening, social distancing, disinfecting, sanitizer, and airflow.

The County will also continue to provide a telecommunication alternative for all meetings held by the Delegation utilizing the Zoom Platform".

The County Administrator Weekly Operations Report was then taken-up for discussion.

Coates then said that on January 13th, N.H. Association of Counties (NHAC) would hold a Zoom meeting for the 2021 NHAC officers' election.

Coates then said that Assistant County Administrator Bouchard is resigning from the City of Keene Energy and Climate Committee to concentrate on other high priority County projects. He suggested that Commissioner Weed might be interested in representing the County on the committee, given his strong interest in work that the committee is engaged in implementing.

Coates then reviewed a discussion of the Opiate litigation conversation that took place yesterday on a Zoom call. As a result of the information received, Commissioner Weed will complete a follow-up call to the Attorneys General office.

Coates then said that he will be traveling out of state for Christmas vacation with family and will be isolated for at least seven days and tested upon returning to the state.

New Business: None

Old Business: None

Consent Agenda: Minutes of 12/02/2020 and Manifests for the week.
Commissioner Englund moved the consent agenda and was seconded by Commissioner Wozmak. The motion passed with unanimous consent upon roll call vote.

Coates then addressed an employee's recent termination and said that all of the paperwork was processed and that the termination is complete.

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Commissioner Wozmak then moved to send notice of receipt of the employees' rebuttal letter and affirm the termination of M. W. Commissioner Englund seconded the motion. Upon roll call vote, the motion passed unanimously.

Non-Public Sessions:

At 10:27 AM pursuant to RSA 91-A:3, II (a), Commissioner Wozmak moved to enter a non-public session to discuss The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. Commissioner Englund seconded the motion, and upon roll call vote, the motion passed unanimously.

As a result of deliberations in a non-public session, Commissioner Wozmak moved to authorize the redistribution of job responsibilities in the finance office to the existing staff based on the department's proposed restructuring of job duties and to adjust wages accordingly based on recommendations by the Finance Director. Robert Englund seconded the motion, and upon roll call vote, the motion passed unanimously.

At 10:58 AM, the Commissioner's then voted unanimously to return to the public session.

General Discussion:

At 10:59 AM, there being no further public business to conduct, the Commissioners voted unanimously to adjourn the meeting.

Minutes recorded by:
R. Bouchard, Assistant County Administrator

Reviewed and submitted by:
R. Englund, Clerk