

MINUTES
Cheshire County Commissioners Meeting
Wednesday, August 18, 2021
County Hall
12 Court Street, Keene, NH 03431

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

Present: Commissioners Jack Wozmak, Robert Englund, and Terry Clark
Staff: County Administrator Coates; Assistant Finance Director Hall; HR Director May, and Assistant County Administrator Bouchard.
Guest(s):

At 8:30 AM, Commissioner Wozmak opened the meeting and conducted a roll-call with the Commissioners, and Wozmak, Englund, and Clark responding as "present."

At 8:31 AM, the Commissioners opened the floor for public comment and Department Head updates.

Superintendent Iosue spoke to the critical need for additional nursing staffing. He said that a number of shifts in the medical department are not covered in the coming weeks and months. He discussed that a nurse was required to return from vacation in order to complete the medication distribution for the inmates this week. He went on to say that the cost of LPN's is as high as \$75.00 per hour. He stated that just learned that he has a potential to hire a traveling nurse that is considering accepting a position at \$68.00 per hour which is the standard rate for County traveling nurses.

Coates asked if the traveling nurse is the same person scheduled to start on Monday. Iosue said that it was not, that this is a different person and will help fill some of the shifts but there are still a number of uncovered times.

Commissioner Wozmak expressed a concern that hiring someone at a rate of \$75.00 would not meet the criteria of the county contracts and any new hires shouldn't be outside of the existing contract.

In response to a question about the number of hours needed to distribute medications to the inmates, Iosue explained the medication pass program and said that a vast majority of the current inmates are receiving both medications for physical ailments and another large subset of inmates are receiving psychology medications and each medication pass takes an hour or more to complete.

A discussion of the existing rules and regulations surrounding the individuals who are state authorized to administer medications started and it was agreed that the rules governing this area need to be reviewed and updated to reflect the now conflicting standards in place for different agencies.

Master Agenda Item #904: Introduction of New County Forester was then taken-up for discussion. Carl Majewski, the Cooperative Extension Office Administrator introduced the new County forester Matthew Kelly. The Commissioner's and staff welcomed Kelly and who

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provided information on background and he said that he came from Michigan but is very happy to be back in New England as his family is in Massachusetts. Bouchard said that he will be setting-up an appointment in the next few weeks with Kelly to complete a timber review of the Chesterfield lot and to begin work on updating the County Forestry plan.

Coates then moved to discussing Master Agenda Item #905: MS-45- New Hampshire Annual County Financial Report and Hall reviewed the document and asked the Clerk to sign the MS-45 for submission to the State of NH Department of Revenue. (Form MS-45 serves a dual purpose of meeting year-end financial reporting requirements for both the NH Department of Revenue Administration and for the US Census Bureau).

Following discussion, the Clerk, Commissioner Clark, signed the document.

Coates then addressed Master Agenda Item #906: Energy Improvement Project - Finance Master Lease Authorization. He outlined the purpose of the document as said that up to \$2.5M of the total energy project cost of \$4.7M will be leased with the remainder being taken from American Recovery Plan Act (ARPA) funds as authorized by the Treasury department.

The document follows:

A RESOLUTION OF THE COUNTY OF CHESHIRE AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE PURCHASE AGREEMENT WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT OR CAPITAL ITEMS FOR THE PUBLIC BENEFIT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION

WHEREAS, the County of Cheshire, a body politic and corporate duly organized and existing as a political subdivision of the New Hampshire (the "Lessee"), is authorized by the laws of the State of New Hampshire to purchase, acquire and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Lessee desires to purchase, acquire, finance and lease certain equipment with a cost not to exceed \$2,500,000.00 constituting personal property necessary for the Lessee to perform essential governmental functions (the "Equipment"); and

WHEREAS, the Lessee proposes to enter into that certain Equipment Lease Purchase Agreement (the "Lease"), with Municipal Leasing Consultants, LLC and/or its assigns (or one of its affiliates) (the "Lessor"), the form of which has been available for review by the governing body of the Lessee prior to this meeting; and

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WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with pursuant to the terms of that certain Escrow Agreement, among the Lessee, the Lessor and an escrow agent satisfactory to the Lessor and the Lessee (the "Escrow Agreement"; and together with the Lease, the "Financing Documents") and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

WHEREAS, the Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, the governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Financing Documents and any other documentation (including a federal tax agreement) necessary, convenient or appropriate for the purpose of the financing the Equipment on the terms and conditions described therein;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE LESSEE AS FOLLOWS:

Section 1. The Lessee is hereby authorized to execute and deliver the Financing Documents with principal components of rental payments in an aggregate amount not to exceed \$2,500,000.00.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The County Administrator of the Lessee and any other officer of the Lessee with the power to execute contracts on behalf of the Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents and any and all instruments, documents and certificates which may be required by or provided for in the Financing Documents or as may otherwise be required for or necessary, convenient or appropriate to the financing described in this resolution together with any changes, insertions and omissions therein as may be approved by the officer who executes the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The Assistant County Administrator or the Finance Director of the Lessee and any other officer of the Lessee with the power to do so be, and each of them hereby is, authorized to affix the official seal of the Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of the Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Nothing contained in this resolution, the Lease nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this resolution, the Lease or any other instrument or document executed in connection therewith impose any pecuniary liability

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upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the rental payments payable under the Lease are special limited obligations of the Lessee as provided in the Lease.

Section 5. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 8. This resolution shall take effect immediately.

Adopted and approved by the governing body of the Lessee this 18th day of 2021.

Following a question-and-answer period, Commissioner Clark moved to accept the Master Lease as presented and to authorize the County Administrator to sign the document on behalf of the County. Commissioner Englund seconded the motion and upon vote the motion passed unanimously.

HR Director May was then recognized to discuss Master Agenda Item #907: Harassment Policy Update for Federal Grant Conformance.

May said that an update to the existing County Harassment Policy is necessary in order to meet the new Department of Justice (DOJ) guidelines for grants. She reviewed the changes which expand on the existing county policy and recommended the changes be accepted.

Following review, Commissioner Englund moved to accept the policy and was seconded by Commissioner Clark. Upon roll call vote the motion passed unanimously.

Coates was then recognized for the Weekly Operations Report.

Coates said that a meeting was held yesterday with a group from New York who are exploring the feasibility of starting a 24 hours emergency veterinary service in the Keene area. He said the discussions went well and the group indicated that they are interested in moving forward.

Coates then said that a Grand re-opening for the Monadnock Peer Support Group will take place in September at their new location on Washington Street.

Pearson was then recognized to discuss the APRA small business application and process that is being readied to rollout in the next few weeks. Pearson said that he intends to meet with the

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Monadnock United Way and Chamber of Commerce who will help introduce the program to the community. An in-depth discussion of how the grant would be administrated for screening the applications and applicates in the county began.

An extended discussion of how the program will work and the use of the monies was covered at considerable length. Multiple scenarios were reviewed and the APRA rules controlling the use of the funds were explained in detail.

Coates then reviewed the meeting held by Senator Kahn in the Delegation room on the Cheshire and Sullivan County flooding impact. A video of the presentation is available on the county website as is a list of departments and individuals who are tasked with responding to the municipalities during these types of emergencies. The link for the forum can be found here: https://www.co.cheshire.nh.us/new_and_alerts/nh-state-senator-jay-kahn-cheshire-and-sullivan-counties-flood-forum-august-17-2021/. Please be aware that the entire session runs for 2:26:48.

Coates then related that a meeting with the City of Keene has resulted in an agreement to provide technical assistance from the county grant writer for the submission of a grant to develop the heritage hiking trail that runs through the city.

Coates said that he has learned that 100% of county towns have signed into funding portal to receive their allocation of the state Governor's Office for Emergency Relief and Recovery (GOFERR) monies.

Coates then explained that a stipend for Maplewood staff may need to be reinstated if the Delta variant surge continues. He said that the cost to re-institute the program is approximately \$38K week \$152K a month. He went on to say that both CARES and ARPA available monies can cover the costs if needed.

He said that the concert put on by guitarist Jose Lezcano last Saturday drew about 25-35 attendees. A second concert is scheduled for Railroad Street on the 21st with the Delegation Hall being a backup location in the event of inclement weather.

Coates said that he attended an Aging Task Force meeting this week and discussed the Handyman and Service Link programs. Some of the members of the group were unaware of the programs and were grateful for the contact information.

Old Business: None

New Business: None

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Consent Agenda: Minutes of 08/11/2021 and Manifests for the week. Commissioner Englund moved the consent agenda and was seconded by Commissioner Clark. The motion passed with unanimous consent upon roll call vote.

General Discussion: None

At 11:07 AM, Commissioner Englund moved to enter a non-public session pursuant to RSA 91-A:3, II(d) Consideration of 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.

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

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

At 12:04 PM, the Commissioners voted unanimously to return to the public session.

At 12:05 PM, there being no further public business to conduct, Commissioner Clark moved to adjourn the meeting and was seconded by Commissioner Englund. Upon roll call vote, the motion passed unanimously.

Minutes recorded by:
R. Bouchard, Assistant County Administrator

Reviewed and submitted by:
Terry Clark, Clerk