



BELKNAP COUNTY COMMISSIONERS
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Richard Burchell
Chairman
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David DeVoy.
Vice-Chairman
Sanbornton

Commission Meeting Minutes January 8, 2015

Commissioner Burchell called the Belknap County Commission meeting to order at 9:00 am on the above date at 34 County Drive, Laconia, NH.

In Attendance: Commissioners Richard Burchell, David DeVoy and County Administrator Debra Shackett.

Welcome: Commissioner Burchell welcomed everyone present to the first Commission meeting of 2015. Commissioner DeVoy led the pledge of allegiance.

Election: M/DeVoy to nominate Richard Burchell for Chair of the Commission. S/Burchell. Unanimous. **Motion passes.** M/Burchell to nominate David DeVoy as Vice Chair of the Commission. S/DeVoy. Unanimous. **Motion passes.**

Roberts's rules: Chair Burchell stated that the Commission would operate under simplified Roberts Rules of order when conducting their meetings. Commissioner DeVoy gave a statement of the role of County Commissioners stating that there would be no drama and that he would like the whole county to come together and work together. Commissioner Burchell added that he sees the Commissioners and the Convention as having complementary, not competing roles.

Policy on agenda: Commissioner DeVoy wants to implement a policy where advance notice is given for agenda items and the material for meetings. This way they can read it and be informed prior to a meeting and also allows time for the Commission to ask any questions. Commissioner Burchell concurs. M/DeVoy to make the time 14 days advance notice for an item to be placed on the agenda. Both agreed that there may be occasions where an exception is warranted. S/Burchell. Unanimous. **Motion passes.**

Structure of County Government: Commissioner DeVoy said he has done a lot of talking to a number of people. In the process, it came to his attention that the Commissioners could not meet without the County Administrator present and the same for department heads meeting with Commissioners directly. He stated that this board of Commissioners wants open communication and will take over the Supervisory role of the Commissioner's Office as he feels it is their role. Commissioner Burchell agrees and said that is how it is statutorily. Commissioners want direct Supervisory responsibility in the Commissioner's office. They will provide support staff but

want all department heads to report to them directly. M/Burchell that moving forward all Department Heads are to report to the Commissioners. S/DeVoy. Unanimous. **Motion passes.**

Public relations: Commissioner Burchell said that the Commission would like one voice that reports on county government. The Commissioners speak for themselves and would like the media to direct all questions to them. Chair Burchell thought it best to have Commissioner DeVoy as the chief spokesperson for the County. Commissioner DeVoy understands that elected officials will speak on their own behalf bound by the personnel handbook. Commissioner Burchell noted that the Hatch act does not allow for officials to use their office to promote political points of view. M/Burchell to make Commissioner DeVoy the chief spokesperson for County. S/DeVoy. Unanimous. **Motion passes.**

Telephonic voting: Commissioners have the ability to use this type of communication. It will be really helpful while they are in the process of having a third Commissioner appointed.

County bidding process: Commissioner DeVoy said the bidding process is not about connections with people, it is about getting the best prices for the needs. Moving forward the Commission would like all bids be sealed and opened in a public meeting by the Commission. Chair Burchell said this will be a policy and would rely on the media to get it out.

Appointment of temporary legal counsel: Commission stated that this would be postponed as they are waiting for proposals.

Health Insurance: Commissioner DeVoy said that there are 5 available companies in NH that could provide health insurance and the County needs to shop around/ bid out. This needs to be an open process with the goal to save money and to take care of employees. M/Burchell to advise Administrator Shackett to prepare the census data needed for bids. S/DeVoy. Unanimous. **Motion passes.**

Transfer requests: In accordance with state statues the Commission presented the following transfer request to be approved. \$5,200 for Barbara Luther for reimbursement for the lawsuit which she was sued in her professional capacity stating that whatever the auditor said does not supersede state law. Commissioner Burchell said that it should have been paid. \$260 reimbursement for fees paid to superior court for filing suit on behalf of the County Convention (in the Commissioners vs Convention law suite). The meeting fee for former personnel committee members Colette Worsman and Richard Greemore for the 10/06/14 personnel committee hearing on Matthew Logue. Lastly that LRPATV also be paid for the recording of the 10/06/14 Matthew Logue personnel hearing. M/Burchell to approve all. S/DeVoy. Unanimous. **Motion passes.**

Copying fees: M/Burchell to implement a new copy policy in the county and make it retro to November 1, 2014 where the charge for the first page is \$1 and .25 for every page after. S/DeVoy. Unanimous. **Motion passes.**

Letter of reprimand: M/DeVoy, S/Burchell to have the letter of reprimand pulled from the file of anyone who talked to Commissioners directly removed. Unanimous. **Motion passes.**

Nursing Home Administrator decision: M/Burchell to reinstall Matthew Logue as the Nursing Home Administrator. S/DeVoy who stated that this was the best course of action for the county and that he would be in direct contact with Mr. Logue and keep track of the Nursing Home. Unanimous. **Motion passes.**

Non Public session: M/Burchell to enter nonpublic session per RSA 91-A: 3, II (a) to discuss a personnel matter. S/DeVoy. Unanimous. **Motion passes.** The Board entered into nonpublic session a 9:16 am. The Commissioners returned to public session at 9:30 am.

Letter to Drummond Woodsum Attorney's: M/Burchell to send a statement to Drummond Woodsum, Attorneys stating to cease all action brought on behalf of Belknap County, other than to withdraw an appeal of the Matthew Logue decision. S/DeVoy. Unanimous. **Motion passes.**

Letter to Donahue & Tucker, Attorneys: M/Burchell, S/DeVoy to instruct the Administrator to contact Donahue & Tucker and have them file a consent decree with the Belknap Superior Court which concurs with the decision by Judge O'Neil. Unanimous. **Motion passes.**

State Employees Association (SEA): Mr. Neil Smith introduced himself to the Commission as the SEA representative for the three contracts Nursing Home, Sheriff's Dept. and Department of Corrections. Mr. Smith asked the Commissioners where they go from here. 2012 was the last contact and he asked the board if they have the willingness to return to negotiations. Commissioner DeVoy answered yes, they will negotiate in good faith and put it all on the table and look forward to it. Commissioner Burchell wanted to add on the agenda for the next meeting, to consider putting a committee together to negotiate the contract. Mr. Smith stated as a point of order that there is a 4th contract at the county and that all 3 of the SEA unions and the Teamsters union negotiate separately of one another and operate separately.

Jail improvements: Commissioner DeVoy expressed how everyone has jail fatigue. The Commission plans to model Sullivan County and their rehabilitation programs. This model will also meet Laconia's demand (tax cap) and protects the taxpayers. Commissioner Burchell said that they made when they made the trip to Sullivan County, how impressed everyone was. They met with various staff members, county attorney etc. The Commissioners would like to hire a new person to guide this process. Sullivan County used Kevin Warwick. Superintendent Ward needs time to review options on this matter and then bring a recommendation to the Commissioners. Commissioners will put this on their 01/20/15 agenda as a follow up. Superintendent Ward gave the Board copies of the inspection report that was completed by Captain Berry. Commissioner Burchell has already reviewed, thought it was excellent and gave kudos to Captain Berry. Commissioner DeVoy will review.

Full time position for the DOC: The Commission is proposing hiring one full time position for the DOC with emphasis on development and implementation of programs. They will delay this vote until their 01/20/14 meeting.

Nursing Home Van: There was discussion on protocol for the van. M/DeVoy, S/Burchell for the Superintendent to have use of the county van for work group programs, etc. whenever he

needs. Unanimous. **Motion passes.** Superintendent Ward asked if he was supposed to develop the protocol for this and also look further into CDL licensing. Answer: Yes. Superintendent Ward will develop this. He has a set of protocol rules for custody and transport.

Rooms in Executive Wing/Commissioners offices: M/Burchell for Superintendent Ward to use the Commissioners wing/rooms for space. Superintendent said that would be helpful for certain programs. Unanimous **Motion passes.** Commissioners directed Administrator Shackett to make these available for the jail.

Budget philosophy: Commissioners stated they have a big task before them as the proposed 2015 budget has a 10% tax increase. They will work hard to come up with a budget which meets the needs of the people and the county. Commissioner Burchell does not agree with the way the budget process has been and sees a structural imbalance in the county. They will protect full time jobs as best as possible while establishing a budget that works for all. They want to work collaboratively with the convention, not adversarially.

Policy on spreading costs: The policy in the past was to spread costs from the Executive Wing across other departments. The Commission feels that is not transparent. M/Burchell that they will not be following that practice moving forward. S/DeVoy for discussion. Commissioner DeVoy feels it is not transparent. For items in the budget like property and liability costs, he wanted to know what the big number is and not broken out. This way you can obtain correct bed costs etc. They want to look at it like this for now. It might change later, but for now the Commissioners want to review. Unanimous. **Motion passes.**

Fund balance: M/Burchell, S/DeVoy that the fund balance be updated monthly on the website. Unanimous. **Motion passes.**

Registry of Deeds deputy: As a departure from the agenda, the Commissioners want to address the request from the Register of Deeds. She had concerns of a situation where serious illness etc. would disrupt the Office if there were not a deputy. Ms. McGrath has requested that the Commissioners appoint Sue Gagne as the Deputy Registrar in her absence. Ms. McGrath felt she was the best fit to nominate and seeks the Commissioners approval and asks the Court to swear her in. M/DeVoy, S/Burchell to approve Sue Gagne as the Deputy Register of Deeds. Unanimous. **Motion passes.**

Copy fee clarification for electronic requests: Superintendent Ward wanted to clarify copying fees for electronic requests. Currently there is a \$25 charge for a cd (County Attorney charges). What about an electronic policy or would they just leave it up to the department head. They would leave it up to the department head and said that the Board does not believe in making money to get information.

Public comment: Mr. Norm O'Neil from Laconia and Mr. Michael Sylvia from Belmont, Mr. Gordon Blais from Meredith, Ms. Donna Hepp from BCCD all asked questions and spoke to the agenda.

Adjourn: M/DeVoy, S/Burchell to adjourn at 10:03 AM. Unanimous. **Motion passes.**

Respectfully Submitted,

Angela A. Bovill, Administrative Assistant