

Coös County Commissioners
Regular Meeting
Coös County Nursing Home - Berlin, NH
March 12, 2014

Present: Commissioners Tom Brady, Paul Grenier and Rick Samson; County Administrator Jennifer Fish; Director of Finance Carrie Klebe; Nursing Home Administrator Louise Belanger; Superintendent Craig Hamelin; Nursing Hospital Administrator Laura Mills; Administrative Assistant Linda Harris; Chief Deputy Keith Roberge; County Treasurer Fred King; Mark Sandoe & Sonja Sheldon-Millsfield residents; members of the press and public.

Commissioner Brady opened the meeting at 9:07 a.m. and welcomed everyone to the meeting.

1. Approval of the Agenda:

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to approve the agenda. All approved 3-0.

2. Approval of the Minutes of the February 19 & February 26, 2014 meetings:

Commissioner Grenier stated that the minutes of February 19, 2014 had to be amended as follows:

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to approve the ~~agenda as amended~~ the minutes of the January 15, 2014 meeting. Commissioner Samson concurred.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to approve the correction to the February 19 meeting. All approved 3-0.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to approve the amended minutes of the February 19, 2014 regular meeting and the minutes of February 26, 2014, of the special meeting. All approved 3-0.

3. Approval of Payrolls and Disbursements:

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to approve the Payrolls and Disbursements for the month of February 2014 and to authorize the Treasurer, during the month of March, to meet all payroll obligations and pay all other obligations due during the month. All approved 3-0.

4. Correspondence:

County Administrator Jennifer Fish reported that only one item of correspondence was received:

- A letter from the NH Council on Resources and Development regarding state-owned land in Jefferson. The subject pertains to a swap of easements. Any comments are due by April 7, 2014. Commissioner Brady stated that the Town of Jefferson received the same notification.

5. Hearing of the Public:

No comments were made at this time.

6. Report of the County Administrator Jennifer Fish. The written report that was submitted to the Board in advance of the meeting was as follows:

- a. Jennifer reported that Coös County will be requesting CDFA/CDBG to release Community Development Block Grant (CDBG) Program Funds for the proposed energy and weatherization upgrades to the Brookside Park Apartments in Berlin on or about March 28, 2014.
- b. Jennifer has been informed by Pamela Yonkin, of HDR, Inc. that the final report for the Federal Land Economic Impact Study will be available by March 14.
- c. The 2014 Public Safety Agreement with the Town of Gorham was received with a significant increase in fees. Seven unincorporated places were included instead of the three that were previously contracted with. Jennifer requested additional information from Denise Vallee, Director of Finance & Administration.

At the meeting, Jennifer reported that she had received an email from Ms. Frost on March 11, stating that the Town of Gorham was rescinding the agreement and accepting the County's original contracted amount of \$1,800. Commissioner Grenier reported that he had spoken with the Chair of the Gorham Budget Committee and indicated that the proposed amount was quite a significant increase after January 1 when the County's budget process is nearly complete. Mike Waddell reported that the recommendation was not made by the budget committee but by the Selectmen. A study committee will review this issue further for a recommendation moving forward. Sheriff Marcou asked to be part of the committee. Commissioner Samson asked that Jennifer also be part of the committee.

- d. An update on HB 1574 (related to the cap on total billings to counties for nursing home care costs) was referred to interim study by the House HHS Committee. The bill includes cost to counties for old age assistance, and aid to the permanently and totally disabled, and children's services.
 - e. HB 1590 (relative to payments in lieu of taxes for renewable generation facilities in unincorporated place) is due out of committee on March 20.
7. Report of the Superintendent of Corrections Craig Hamelin. The written report that was submitted to the Board in advance of the meeting was as follows:

TOTAL IN FACILITY	30
HOUSE OF CORRECTIONS	18
PRETRIAL	12
NH STATE PRISON INMATES	1
OTHER COUNTY INMATES	1
ELECTRONIC MONITORING PROGRAM	2 (FEMALES - GRAFTON PROGRAM)
WORK RELEASE PROGRAM	0
HELD AT OTHER FACILITIES	7
HOC= HOUSE OF CORRECTIONS PT= PRETRIAL	GRAFTON DOC: 1 PT MALE, 3 HOC FEMALE, 1 PT FEMALE ROCKINGHAM DOC: 1 PT MALE NHSP: 1 HOC MALE
AVERAGE DAILY POPULATION FEBRUARY	33
MALE DAYS SERVED IN FACILITY FEBRUARY	931
FEMALE DAYS SERVED FEBRUARY	115 (8 females)
TOTAL INMATES ADMITTED FEBRUARY	28
TOTAL INMATES RELEASED FEBRUARY	33

- a. Currently, all positions within the Department have been filled. Brendon Lynch, of Stratford NH, was hired for a vacant Correctional Officer position on Third Shift. He began the 8-week Field Training Program on February 17. Officer Anthony Havalotti successfully completed the Field Training Program on February 16. He has been assigned to work on Third Shift.
 - b. Officer Garrett Rella began the 5-week NHAC Corrections Academy on February 24. This academy is being conducted at the New Hampshire Police Standards and Training Facility in Concord. Graduation for the 95th Academy is scheduled for March 23. Sergeant Ben Champagne will be instructing the Suicide Prevention classes at the NHAC academies again this year.
 - c. On March 11, the DOC will be receiving a demonstration of offender electronic monitoring equipment and services from Satellite Tracking of People, LLC (STOP). This GPS based monitoring company was recently acquired by Securus Technologies, the DOC inmate telephone service provider. The department is hopeful that this company can provide monitoring equipment, services and fees which will be more affordable for eligible offenders to be placed on the Electronic Monitoring Program.
 - d. Superintendent Hamelin reported that four members of the Delegation toured the facility on March 7. All were pleased with the operation and the condition of the building itself.
8. Report of the West Stewartstown Nursing Hospital Administrator Laura Mills. The written report that was submitted to the Board in advance of the meeting was as follows:
- a. Census: The census was 76. Occupancy for the month of February was 84.4%. In February, there was one (1) admission and three (3) deaths. Of the 76 residents, eleven (11) are Private Pay and nine (9) residents are Vermont Medicaid. Two residents have been denied Medicaid and the family is appealing, but at this time the bill is not being paid. The totals for 2014: Seven (7) admissions, no discharges and five (5) deaths.
 - b. Kitchen Grease Trap: The Stewartstown Selectmen have not arranged for staff to meet with their engineer at this time. The Selectmen will let Laura know when they are ready.
 - c. AVH Rehab: Commissioner Grenier met with Russ Keene and worked out an agreement. The budget will need to be adjusted to cover the increased cost.

Commissioner Grenier reported that Mr. Keene indicated that the physical therapy services provided to the Nursing Hospital were becoming a financial drain on AVH. The gasoline and time spent on the road are not reimbursable costs. An agreement was reached whereas the Nursing Hospital would pay an additional \$8,000 to help defray the non-reimbursable costs for this year. Further discussions will be held throughout the year for a long term solution. At no time did the hospital insinuate that they would drop the Nursing Hospital. Commissioner Grenier stated that Laura may have to present the request to the Delegation at the budget meeting. He also suggested that she provide a little background information. A motion was made by Commissioner Samson, seconded by Commissioner Grenier to present an \$8,000 increase to the physical therapy line item in the Coös County Nursing Hospital budget to the Delegation. All approved 3-0.

- d. Maintenance: The new Maintenance Worker, Dennis Bouvier, will begin working as a Plumber Apprentice under the Plant Manager, Ron Crawford, who is a Master Plumber. This is the first step in the process for earning his Journeyman Plumber License.
- e. Renovations: The 3rd Floor Tub Room has been gutted and the rebuild has now begun.
- f. Survey: The Nursing Hospital is back in compliance as of February 28.
- g. Nursing Hours at the Department of Corrections:

2013	MINUTES	Hours	2014	Minutes	Hours
January	267	4	January	22	<0.5
February	534	9	February	37	<1

9. Report of the Berlin Nursing Home Administrator Louise Belanger. The written report that was submitted to the Board in advance of the meeting was as follows:

- a. Census: The current census was 91. Eleven (11) residents were Private Pay; one (1) resident was Medicaid pending. The average daily census for February was 89.7; there was one (1) admission in February, one (1) death and one (1) transfer out to community. Three (3) admissions are planned within the next 2 weeks. The year to date totals: Admissions 4 and Deaths 5.
- b. The Computer System Clerk/Payroll position has been filled. Louise reported that she had received numerous applications; and, interviews were conducted from February 24 to 28. The applicant who received the position was Danielle Rioux. Danielle started her orientation on March 6.
- c. New Entrance Canopy and Parking Improvement project: Louise reported that HEB's recommendation for the project was the low bidder Gordon T Burke and Sons. The total bid amount includes the base bid plus the alternate #1 with a 5% contingency fee. HEB recommended the 5% contingency in case of an unforeseen emergency. HEB also felt that the Commissioners should award the bid after the Delegation approves the appropriation. A motion was made by Commissioner Grenier, seconded by Commissioner Samson to award the bid in the amount of \$244,755 to Gordon T. Burke and Sons subject to the appropriation from Delegation. All approved 3-0.
- d. Louise reported that she is currently a member of the Androscoggin Valley Community Partners Committee. The current focus of the group has been assisting individuals in the Berlin/Gorham area to sign up for American Affordability's Care Act. A group signup will be held at the Nursing Home on March 20 as the deadline is March 31.
- e. The company Uniformly Yours has come to the facility in the past to sell uniforms and nursing shoes to staff. On April 17, a local uniform and shoe shop from the Berlin area will be at the facility to sell uniforms and nursing shoes to the staff.

10. Report of the Director of Finance Carrie Klebe. Ms. Klebe did not have a report. She has been preparing for the budget meeting and working on the cost reports which are due by March 31.

11. Other Business:

- a. There were no budget transfers.
- b. *County Forestry Plan:* Commissioner Samson reported that he has done research and each county has a forestry plan except Coös. He asked if the Board would consider approving a plan in order that the County Forester may start the paperwork. At this point, it looks like the Board will walk the county-owned lands in May. Commissioner Grenier stated that a plan is needed if the County keeps the land. There should be no cost to the County taxpayers. A motion was made by Commissioner Samson, seconded by Commissioner Grenier to approve the County Forester begin a county forest plan. All approved 3-0.

12. Unincorporated Places:

- a. *Millsfield: Current Use Application - Lewis & Paula Sweatt:* Linda Harris reported that she had received an updated current use application from Lewis and Paula Sweatt. The land is already in current use. This application will update the owners of the property. The Board signed the updated application.
- b. *Millsfield: Requests for Abatement:* Jennifer reported that a package was received on February 28 from the residents of Millsfield which consisted of 10 abatement requests. The applications were requesting poverty exemptions and that the assessed valuations be reduced to zero.

Commissioner Grenier asked what the reasoning was for the abatement requests as the residents currently do not pay property taxes. The explanation read as follows on all of the applications: *Although Millsfield residents did not receive a property tax bill in 2013, the Millsfield surplus is being used to postpone the exorbitant taxes associated with the DRA ruling pertaining to Docket Number 26676-13ER which shifts \$115,000 in increased valuation from the Wind Farm to non-wind Millsfield properties. The taxes associated with that increased valuation will make it impossible to sell any of the non-wind farm properties at any price. Hence the assessed valuations are incorrect, as the actual market value is \$0.00 for those non-wind farm properties that are located in an unincorporated place that offers almost no municipal services. In addition, when the taxes associated with the shift in valuation gets translated into tax bills, and the Millsfield surplus is no longer a surplus, our household income will not allow for payment of those taxes. Hence, we are claiming a poverty exemption.*

Commissioner Grenier stated by claiming a poverty exemption the residents will need to show proof of poverty. Each resident will need to prove values of property, values of vehicles, all bank accounts and statements to prove poverty. He suggested that a letter be sent to these individuals informing them of the process. In his opinion, this was a knee-jerk reaction to something that may not happen to them because HB1590 as amended will take care of the issue. Whoever advised the residents to do this does not understand the abatement process. If the assessments show zero values, banks and mortgage companies may call in their loans for payment. An independent appraisal from each applicant may be needed for comparison with the County's appraisal. In Berlin, if someone is poor and cannot afford their property, they sell the property. The Millsfield residents have had two tax bills in twenty years. The County Commissioners have spent hours in Concord; the Delegation has put together a coalition to resolve the situation. Commissioner Samson asked for clarification of HB1590. Commissioner Grenier explained that as amended, the taxes will be on impugning value which is the value of

the Pilot agreement instead of the DRA appraisal. There is support in the House, the Senate, and he believes the Governor will sign the bill.

Commissioner Samson asked if the bill will have any bearing on the Supreme Court case. Commissioner Grenier stated that if the County is successful, the Supreme Court may return the case back to the BTLA. If that were to happen the County will be able to ask for documents and cross examine the DRA witness and how they came to that value.

Commissioner Brady has heard on several occasions that the residents from Millsfield do not receive any services. The residents are provided with some level of service and the education and transportation for the children is paid for. Commissioner Grenier stated that one of his goals as County Commissioner is for the people who live in the Unincorporated Places to pay zero taxes. This is not primarily for the benefit of the residents but if the industrial lands are managed properly and kept in industrial ownership the revenues of those lands will feed the industrial operations of the County. The by-product of that activity is no taxes.

Jennifer clarified that the payment in lieu of tax that is received from Brookfield goes to Dixville and Millsfield; it does not go to the County.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to deny the requests for abatement for those who did not file the inventory of taxable property in a timely manner. Sheriff Marcou asked if the applications could be rescinded at any time. Commissioner Grenier replied yes. Sheriff Marcou continued that the items that will need to be provided make sense. Commissioner Grenier stated that in Berlin when a taxpayer requests a poverty exemption a meeting is held with each property owner, the Finance Manager and the Mayor. Sheriff Marcou asked what the poverty level was in Millsfield. Commissioner Grenier did not know. All approved 3-0. The Board signed the three applications.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson that the remaining seven applicants meet with the Finance Director and the County Administrator and be advised of their rights to file the abatement. Commissioner Samson suggested that meeting include the seven applicants, the Finance Director, the County Administrator and Commissioner Grenier who can explain the process to them. Commissioner Grenier agreed to the meeting. Linda was also authorized to move forward with the assessors. All approved 3-0.

- c. *Wentworth Location: Loan Documents:* Carrie Klebe provided the loan documents for the bank erosion project from Northway Bank for the Board's signatures. The Board signed the documents.

13. Any other public input:

- a. Commissioner Samson provided an update on the bank erosion project. The rock was blasted and on site. The plan is to begin at the end of the week and will take about 10 days.
- b. Mark Sandoe, Millsfield, stated that Jennifer had stated that the payment in lieu of tax and the timber taxes go to Millsfield which Jennifer replied that was correct. Mr. Sandoe asked where the money goes from there. That is the biggest question of the residents of Millsfield. He stated that there are individuals in Millsfield who serve as "selectmen" who are never contacted. There is no form of communication. Sonja Sheldon stated that the residents have asked for

communication and do not get it. Jennifer stated that she has been County Administrator for over a year and "the elected officials" have never contacted her, called her or come to the office. Communication goes both ways. Mr. Sandoe agreed; however, he stated that Mr. Urso has contacted the office a number of times and no one has responded. Jennifer replied that she has never received an email or a phone call from Wayne Urso. The Commissioners have received several emails from him. Commissioner Samson stated that he has responded to the emails as have Commissioners Brady and Grenier on one occasion. However, Commissioner Brady stated that Mr. Urso's reply was a nasty email. The Commissioners and Delegation have been working on resolving the issue and the reply was that everyone is doing an injustice. Commissioner Samson stated that there is a lack of communication both ways. In the past there has been no line of communication. The proposed meeting with Carrie and Jennifer will be a good start. Commissioner Grenier stated that the fund balances for each unincorporated place is in the County Report. Jennifer also stated that there is an individual budget for each unincorporated place as well as all of the reports filed with the DRA. Jennifer reiterated that the funds received for Millsfield go to Millsfield. Jennifer reviewed some of the line items that are included in the budget.

Commissioner Samson asked why the fund balance is currently zero. Commissioner Grenier explained that the fund balance was used to pay the 2013 taxes. Commissioner Samson stated that if the DRA uses the \$113 million PILT agreement the fund balance will start to build back up. Jennifer replied in the affirmative. Jennifer stated that the office is open to anyone.

Commissioner Brady stated that the Millsfield residents also have the choice of incorporating or annexing with the Town of Errol. Commissioner Grenier stated that the legislature would not deny the request. Sheriff Marcou stated that County government is difficult to understand. The residents of Millsfield need a representative to come in and ask questions and then report back to the others. The County is not stealing money as some have stated. Jennifer did a very good job explaining where the funds were appropriated.

Sonja Sheldon stated that Mr. Urso has asked on several occasions for the 2014 tax rate and no one seems to know. The emails go unanswered. Jennifer replied that the 2014 tax rates will not be available until DRA sets the tax rates in the fall; no one is withholding any information. Jennifer and Linda have not received any requests from Mr. Urso. Linda replied that the 2013 tax rate was zero. A letter was sent to all of the property owners in the Unincorporated Places stating there would be no property taxes in 2013. Mrs. Sheldon acknowledged that she had received the letter.

Commissioner Grenier stated that Mr. Sansoucy indicated that the DRA will be dropping the value of the wind turbines which is independent of the Supreme Court case and HB1590. In year five and year six of the agreement, the depreciation will be less than the PILT payment. The last 10 years of the PILT agreement will be a benefit to the residents because of the depreciation.

Mr. Sandoe asked who will be paying for the dismantling of the wind turbines. Commissioner Grenier replied that a decommissioning fund has been set aside to have the turbines removed after payment is made for scrap metal. The decommissioning amount must be revisited every five years.

Commissioner Brady reiterated that the residents of Millsfield and any other Unincorporated Places are invited to future meetings and ask questions. If anyone would like items added to the agenda, they should contact him or Jennifer.

14. A motion was made by Commissioner Grenier, seconded by Commissioner Samson to enter into non-public session per RSA 91-A:3 II (g) at 10:40 a.m. All approved 3-0.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to come out of non-public session at 11:15 a.m. All approved 3-0.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson that based on a recommendation from Representative Richardson that the Commissioners approach the Delegation for a \$10,000 appropriation for a security upgrade to the Department of Corrections. All approve 3-0.

The next regular monthly meeting will be held Wednesday, April 9, 2014, at 9:00 a.m. at the Coös County Nursing Hospital in W. Stewartstown, NH.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to adjourn the meeting at 11.16 a.m. All approved 3-0.

Respectfully submitted,

Rick Samson, Clerk