

Coös County Commissioners
Coös County Delegation
Joint Meeting
Coös County Nursing Home - Berlin, NH
February 23, 2018

Present: County Commissioners Tom Brady, Paul Grenier and Rick Samson; Representatives Robert Théberge-Chair; Wayne Moynihan Vice-Chair; Larry Laflamme-Clerk; William Hatch (*arrived 4:44 pm*), Bing Judd, Troy Merner, Herb Richardson, Yvonne Thomas and Edith Tucker. Also present: County Administrator Jennifer Fish; Superintendent Ben Champagne; Nursing Home Administrator Louise Belanger; Nursing Hospital Administrator Laura Mills; Director of Finance Carrie Klebe; Sheriff Brian Valerino; Captain Keith Roberge; Administrative Assistant Linda Harris and a member of the press.

1. Commissioner Brady opened the meeting at 4:05 p.m. Representative Théberge led the Pledge of Allegiance.
2. Approval of the Agenda: A motion was made by Commissioner Grenier, seconded by Commissioner Samson to amend the agenda to allow for the Delegation's roll call. All approved 3-0.

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

3. The Clerk, Representative Laflamme, called the roll. There were eight members present. Representatives Fothergill and Hatch (*arrived 4:44 pm*) were excused.
4. Commissioner Grenier stated that there has been questions on the legality on whether Keno would be allowed in the Unincorporated Places. The language of the bill does not include the Unincorporated Places. He questioned whether to continue with the public hearing on allowing Keno in the Unincorporated Place of Millsfield. Representative Laflamme asked if the question was due to the fact that Millsfield was not a town. Commissioner Grenier replied that the law is not clear. Representative Moynihan stated that the bill indicates towns and cities. There is a debate on whether the Unincorporated Place that is managed by the County is or is not fully empowered to act as a town. The request for Keno must be on the warrant and voted on by ballot. He has no problem with the applicant having the Keno machine in Millsfield. He was uncertain on whether the Delegation could authorize it. He agreed that there should be no public hearing. Representative Richardson stated that he wished someone would have said something earlier. He would have put legislation through to correct the law. He added that he would research the law further the next time he is in Concord and will report the information at the March meeting. Representative Moynihan contacted the lottery commissioner and the Attorney General but did not get any clarification. Representative Tucker suggested voting on Keno next year and work on correcting the bill. Representative Théberge stated that following the last meeting he contacted the main sponsor of the bill, Representative Umberger and she had no objection to the Unincorporated Places. He agreed that if Representative Richardson is able to have a senator amend the bill it would be the best option. Commissioner Grenier suggested contacting the Attorney General's office and obtaining a legal opinion in writing. Representative Moynihan endorsed Commissioner Grenier's statement. A legal opinion from the municipal association said it could not be done. An opinion is needed from the Attorney General's office. Representative Laflamme hoped this could be resolved by the March meeting. A motion was made by Commissioner Grenier, seconded by Commissioner

Samson that the County Commissioners should contact the Attorney General's office requesting a legal opinion in regards to Keno in the Unincorporated Places based on Chapter 28 of the statutes. All approved 3-0.

Councilman Roland Th  berge has been contacted from citizens of Errol, Dummer, etc. asking why the cell towers that have been erected are not in operation. Todd Rich explained that the tower in the Errol area should be on line within the next fourteen days. Representative Merner also added that if the cell phone is not a certain type and Verizon is not the carrier the phones will not work.

5. Other business:

- a. Approval of the Drinking Water State Revolving Loan Agreement: County Administrator Jennifer Fish noted that she had presented the loan agreement to the Board at the last Commissioners' meeting. However, the Board requested time to review the document. A motion was made by Commissioner Grenier, seconded by Commissioner Samson to approve the State Revolving Loan Agreement as presented. All approved 3-0.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to allow the Clerk, Commissioner Samson to execute form 8338 on behalf of the Board. All approved 3-0.

- b. Cell Tower Lease Agreement on County Land: County Administrator Jennifer Fish reported that at the last Commissioners' meeting, the Board had requested the services of Attorney Jonathan Frizzell to negotiate the contract. He is currently reviewing the contract.

Todd Rich of Wireless Partners, LLC attended the February 14 Commissioners meeting requesting to lease a 100'x100' parcel of county land. The preferred site is located by the recycling center. The Board is not allowed by statute to approve the request as it is part of the Delegation's duties. The Board also requested the services of Attorney Jonathan Frizzell in reviewing the agreement.

Representative Hatch arrived at 4:44 p.m.

Mr. Rich explained that the proposed site would hold a cell tower that would connect the network from Pittsburg to Groveton. The proposed lease payment of \$30,000 (\$500 per month for five years) is for the lease of a 100'x100' parcel. There will be a 15% increase at the commencement of each renewal term. The agreement has a 90-day window to cancel the agreement from either party. The cell tower would provide 4G LTE service. The company contacts providers to negotiate contracts. Several cell service providers have been approached; however the only provider to agree to providing service in the area is Verizon. If you have an old phone, it will not work with the new technology. The site is located on a ledge on county property. If this proposal does not work with the County, there are other options. Representative Richardson noted that this land belongs to the people of the county and that the tower should include service for all phones. Mr. Rich explained that he cannot force carriers to provide service. Representative Tucker inquired as to the height of the tower. Mr. Rich replied 190 feet. Representative Moynihan inquired if Planning Board permits were required. Superintendent Champagne replied that the Town of Stewartstown has no zoning and no planning board. Representative Merner noted that until Wireless Partners came to the rural areas of the County there was no cell service. Providers will come once service is available. Representative Richardson asked who paid for the property taxes. Commissioner Grenier

replied the leaseholder. Commissioner Grenier added that he supported the cell tower proposal. It is needed for economic development in the area. Representative Richardson noted that he did not want the county taxpayers responsible for any costs.

Superintendent Champagne reported that the proposed location was wooded area by the recycling center. There has been discussion on improving the road to the recycling center. He also reported that the Coös County Chiefs had met earlier in the day with Mr. Rich. The proposed tower will also help with the repeater on top of Magalloway in Pittsburg. The proposal had the full support of the Chiefs of Police. Superintendent Champagne did not see issues with security at the proposed site.

Commissioner Samson noted that there is no zoning or planning board in Stewartstown. The \$6,000 lease payment will help in offsetting the loss of the Agrimark payment in the coming years. Commissioner Samson asked for the Delegation's approval. Time is of the essence. Commissioner Grenier agreed with Commissioner Samson and asked for the Delegation's approval subject to the final approval of the County Commissioners contract negotiations with Attorney Frizzell and Wireless Partners. Mr. Rich reiterated that the current contract was for the lease of the land only.

Commissioner Brady turned the meeting over to Representative Th  berge for a vote of the Delegation. A motion was made by Representative Merner, seconded by Representative Judd to allow the County Commissioners to enter into this contract subject to final negotiated agreement between the Commissioners and Wireless Partners. In light of Commissioner Samson's support, Representative Richardson stated that he would support the request. Commissioner Grenier proposed emailing the agreement to all Delegation members prior to the Commissioners accepting the agreement. The motion was approved by roll call 9-0.

Commissioner Brady thanked the Delegation for their support.

- c. Tax Anticipation Note Loan Agreement: Ms. Fish presented the Tax Anticipation Loan documents from Northway Bank for execution. A motion was made by Commissioner Grenier, seconded by Commissioner Samson to execute the tax anticipation note documents with Northway Bank. All approved 3-0.
- d. Discussion of proposed changes to the 2018 Co  s County Budget: Commissioner Grenier reviewed changes to the budget:
 - The proposed budget showed an increase of \$489,014 over the 2017 budget.
 - Requests from outside agencies were not fully funded. The Board did not recommend funding new requests in 2018.
 - Funds previously encumbered for the water system, \$277,145 were placed in the undesignated fund balance. A separate vote will be needed by the Delegation to move the funds.
 - The generator in West Stewartstown needs repairs at estimated cost of \$12,500. The Board requests that the funds come from the facility fund which will need a separate vote of the Delegation at the March meeting.

Representative Moynihan stated that \$15,000 remained in the water system line item. Commissioner Grenier replied that funds were kept aside in the event of engineering costs.

Representative Th  berge also noted that he asked the Berlin Nursing Home Administrator Louise Belanger and Environmental Services Manager Mike Holt to obtain a quote for a small tractor with add-ons (plow, sweeper, mower) for the nursing home. Mrs. Belanger had an estimated cost of \$35,000.

Representative Moynihan stated that he understood the Commissioners not funding new programs with outside agencies; however, he was disappointed that funding for the drug task force was included in the Sheriff's budget under the contracted services line item. The County is funding a new service for \$20,000. He asked for data showing that it is a worthwhile expenditure. He did not receive anything from the Sheriff's Department or law enforcement. He questioned if the County was setting a precedent of not funding other special appropriations and instead fund law enforcement to a greater degree on top of the millions that the State has provided to the NH Drug Task Force. This was his perspective. Representative Richardson stated that he too thought the position was just for the City of Berlin but after the recent arrests of individuals in the Whitefield area, he has realized that the service will be county wide.

Representative Th  berge stated that he had obtained information in regards to an increase in shift differentials. He asked Director of Finance Carrie Klebe why Berlin's was less than the West Stewartstown facility. Mrs. Klebe replied that the Berlin figures were calculated differently and the amounts were just a rough estimate.

Commissioner Grenier stated that all of the union contracts are up in December 31, 2018. If the differentials are offered at this time, there will be no incentive to negotiate a new agreement. Representative Th  berge was concerned due to the shortage of the nursing staff on the floors. The nursing homes need to be competitive.

Commissioner Samson stated that he has tried to address the issue for years. He had stated earlier in the budget process that he would vote against the budget if shift differentials were not included. He agreed to vote for the budget as the Chair agreed to work on the issue during the coming year. Currently the shift differential for the second shift is .90 per hour and the third shift .95 per hour. A meeting should be held as soon as the budget is passed to address the issue.

Commissioner Brady noted that all three Commissioners value and appreciate the care provided by the staff at both facilities. He did ask Commissioner Samson to wait for union negotiations. The proposal would have a potential increase of \$190,000 to the budget.

Representative Richardson stated that it seems that there is a revolving door issue with staff. He asked if exit interviews are being done and are there any major concerns. Commissioner Grenier replied that some staff has left for another job but then return. Representative Hatch noted that some of the information related to personnel issues and should be dealt with by the Commissioners. Commissioner Brady noted to the Delegation that the subject was discussed at the Commissioners' February 14 meeting and disclosed in the minutes.

Commissioner Samson stated that a position was created in 2016 and was to be reviewed after one year. This was not done and will need to be addressed. Representatives Th  berge and Laflamme inquired if the Board would be addressing the issue. Commissioner Samson replied that it has not but will be.

Representative Tucker noted that the Delegation needs to look at Co  s County as an enterprise. This will be a tough year. No one is looking out for Co  s County. If issues arise, they need to be addressed. Representative Richardson agreed. This is the first time in 18 years that there is no voice for Co  s County in Concord.

A motion was made by Commissioner Grenier, seconded by Commissioner Samson to adjourn the meeting at 6:34 p.m. All approved 3-0.

Respectfully submitted,

Rick Samson, Clerk