

Nonpublic Session Minutes
Carroll County Board of Commissioners

Date: January 29, 2020

Session # 4 **of** 7

Members Present: Amanda Bevard
Terry McCarthy
David Babson

Motion to enter nonpublic session made by Babson seconded by Bevard

Specific Statutory Reason cited as foundation for the nonpublic session:

 RSA 91-A:3, II(a) 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 meeting and (2) requests that the meeting be open, in which case the request shall be granted

 RSA 91-A:3, II (b) The hiring of any person as a public employee

 X **RSA 91-A:3, II(c)** Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant

 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.

 RSA 91-A:3, II(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled.

 RSA 91-A:3, II(g) Consideration of security-related issues bearing on the immediate safety of security personnel or inmates at the county or state correctional facilities by county correctional superintendents or the commissioner of the department of corrections, or their designees.

 RSA 91-A:3, II(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

 RSA 91-A:3, II(L) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call Vote to enter nonpublic session:	Bevard	Y	N
	McCarthy	Y	N
	Babson	Y	N

Entered nonpublic session at _____ **am/pm**

Other persons present during the nonpublic session: _____

Description of matters discussed, and final decisions made: _____

MOTION: "To hire outside counsel for the February 24 personnel hearing" by McCarthy, 2nd Babson. Passed 3-0
MOTION: "To ask the Chair to contact Atty Liz Bailey for a recommendation" by McCarthy, 2nd Babson. Passed 3-0

Note: Under RSA 91-A:3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information like would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by _____, seconded by _____.

Motion: **PASSED/DID NOT PASS**

Public session reconvened at _____ am/pm

Motion made to seal these minutes? If so, motion made by _____ Bevard _____, seconded by _____ McCarthy _____, because it is determined that divulgence of this information likely would:

- ☒ **X** Affect adversely the reputation of any other person other than a member of the board
☐ Render a proposed action ineffective
☐ Pertains to preparation or carrying out of actions regarding terrorism

Voice Vote to seal minutes:	Bevard	Y	N
	McCarthy	Y	N
	Babson	Y	N

These minutes recorded by: _____ Mellisa Seamans _____

Minutes approved on Feb 5, 2020

Amanda J. Bevard
Amanda Bevard

Terry McCarthy
Terry McCarthy

David W. Babson 2/5/2020
David Babson

Review Date	_____
Review Date	_____
Review Date	_____
Review Date	_____
Unseal Date	2/5/20