

**County of Carroll
Delegation Meeting**

Carroll County Administration Building

June 5, 2023

Meeting convened: 2:00 p.m.

Members Present: Chmn. Lino Avellani, Vice-Chmn. Glenn Cordelli (remote), Clerk Mark McConkey, Richard Brown, Anita Burroughs, Steve Woodcock (remote), John MacDonald, Jonathan Smith, Chris McAleer, Karel Crawford, David Paige, Michael Belcher, Katy Peternel, Michael Costable (remote), Tom Buco

Others Present: *Participating:* Commissioner Terry McCarthy, Commissioner Matthew Plache, CFO Bonnie Batchelder, Executive Coordinator Mellisa Seamans, Sheriff Domenic Richardi, Facilities Director Bob Murray, MVC Director of Nursing Sue Dodier, Ed Comeau (GovernmentOversite.com), Daymond Steer (Conway Daily Sun), Fred Cain (Wolfeboro), Bobbi Boudman (Wolfeboro), Dallas Emery (Ossipee), Chip Albee (Tuftonboro), Chuck McGee (Moultonborough); Avae Traina and Kevin Christensen (Siemens); Joy Gagnon (UNH Cooperative Extension), Caleb Gilbert (Carroll County Coalition for Public Health), Eileen Leavitt (End 68 Hours of Hunger), several member of the public
Ed Comeau (GovernmentOversite.com)

Roll Call

Pledge of Allegiance

All votes taken during this meeting were done by roll call.

MOTION: To have public comment at the start of the meeting and limited to three minutes each

Passed 15-0

Public Comment

Fred Cain: Concerned about nursing home. Noted the fine assessed to the nursing home at \$155,000. Request subcommittee to “try to fix the problem over there”. Commissioners are requesting a \$300,000 funding transfer to pay for agency staffing. Currently 12 agency staff.

Bobbi Boudman: Questioned how Delegation meetings are noticed. Four candidates for the commissioners’ seat. Watched many meetings to research how candidates have carried themselves in the public. We have a known track record with Chip Albee. Before we hand off the courthouse to a school, have we looked at lead paint, asbestos, consulted with historical resource experts. Concerned about nursing home fine. Waiting to put my mother-in-law there. We would have private paid \$144,000 to put her there. We are holding her and keeping her out of there due to concerns. Ask Delegation to withhold voting on the courthouse, appoint Chip Albee.

Daymond Steer: Might you consider forming a subcommittee for the nursing home?

Chmn. Avellani: I will have to look into it. Not sure in our purview to get involved in employment decisions.

Approval of Meeting Minutes

MOTION: Approve March 20, 2023 meeting minutes by Rep. Paige. 2nd Rep. Crawford. Motion passed 12-0-3 with Reps. Belcher, Peternel and Buco abstaining.

Appointment of District 2 Commissioner

Each candidate was allowed 10 minutes to both introduce themselves and also take questions from the Delegation. Candidates present: Dallas Emery, Chip Albee, and Chuck McGee.

MOTION: **Appoint Chuck McGee to the Commissioner position** by Rep. Cordelli, 2nd Rep. Belcher. Passed 10-5 with Reps. Bucu, Burroughs, Paige, Woodcock, McAleer opposed.

MOTION: **Appoint Chip Albee to the Commissioner position by Rep. Woodcock.** Given that the vote to appoint Chuck McGee passed 10-5, a vote was not taken on this motion

Coord. Seamans will arrange for Mr. McGee to be sworn in

Review of January-April Financial Statements

CFO Batchelder gave an overview of the statements. Most lines should be about 33% spent. Note the underspent salary lines due to staffing shortages. To date, the County has borrowed \$1.2 million against the tax-anticipation line of credit. As of the May 31 financials, underspending in the MVC salary line is sufficient to cover the agency staffing. Salary line underspending will cover the agency staffing funding transfers and the CMC fine.

Rep. Bucu: Concerned about money being spent on agency staffing.

CFO Batchelder: Agency staffing very expensive. Nursing home and human resources doing everything they can to attract employees. Budget approved by commissioners and delegation allows for salaries to attract new staff.

Rep. Burroughs: How are we going to get ahead of this with agency staffing costs and now the fine?

CFO Batchelder: Spoken with HR and they are gaining ground

Increase in Fees of Sheriff and Deputy Sheriffs (NH RSA 104:31) – Sheriff Domenic Richardi

Legislation passed to increase fees for service of writs 7%. Helps to offset some of the cost of service. Based on 12-month average, will be increased revenue of \$1,138 per year. Was not brought forward during the budget process because the legislation had not passed.

MOTION: **Increase the Sheriff's writ fees revenue by \$1,200 to \$61,200** by Rep. Smith, 2nd Rep. Woodcock. Passed 15-0

Carroll County Courthouse Purchase Agreement Approval

The Delegation was provided with an agreement to purchase the Carroll County Courthouse at 20 Courthouse Square in Ossipee between Carroll County and Institute for Classical Culture.

Comm'r Plache: The Commissioners agreed we did not need to keep this building for any County purposes. There is also a significant cost to maintain this building. Conducted RFP process. We received one bid and another entity that offered to take ownership if no one else wanted it. We accepted the bid of \$1. We retained counsel to work on the agreement. The charter school will get a quitclaim deed. If they do not use as a charter school within two years, it will revert to the County. If they cease to use it as a charter school in five years, it will revert to the County. There is an option, rather than reversion, to purchase the building for \$200,000. Reversion right subject to any mortgage they put on the building.

Rep. Belcher: Rough estimate of cost of maintaining the building?

Comm'r Plache: About \$40,000 in the budget

Rep. Paige: When was building appraised and how did we arrive at \$200,000?

Coord. Seamans: Building assessed at \$225,000

Rep. Paige: I don't care if a charter school is there. But whoever is there, I want to make sure we are being good stewards of this historical resource. I'm a little concerned about the agreement and what our guarantees are they will preserve the building and its historical characteristics.

Comm'r Plache: It is a historically protected building.

Mr. Yule: It is on the historical registry. First phase is to renovate and get rid of the hazardous materials – lead, asbestos – preserve the courtroom and the outside historical elements. Second phase to build additional school at the back of the property. Third phase to turn the Courthouse into a high school that would provide AP classes for constitutional law to allow students in the community to practice college level law. Mock trials in the courtroom. Putting it into extremely good use for the community.

Rep. Paige: You have \$1.1 million CSP grant? I was looking at your five-year operating budget that has \$3,000 for maintenance and repairs. This is a cherished historic resource. I want to make sure this is done right

Mr. Yule: Loan guarantee for \$700,000 to go towards renovation. Some of the \$1.1 million can go to renovation but mostly for supplies, staff, start-up costs. Annual grant that charter schools get from the state of \$50,000 towards rent. North Star Academy would rent from Institute for Classical Culture which then would turn that rental revenue into the loan which would go toward the renovation. We will also be going back to the state for additional money once we have the building.

Rep. Woodcock: Thinking about \$1.1 million from the federal government through the NH DOE. If we lose receivership of the building and get back \$200,000 but \$1 million into it, why not a long-term \$1 per year lease. Then if something happens we get it back and can move on from there. Why a sale versus a lease?

Chmn. Avellani: During the budget process, intention was to get rid of the building and put it into the private sector.

Rep. Burroughs: Was appraisal done? How did we arrive at \$1? I have nothing against charter schools? How is it in the best interest to sell this historical building for \$1 to a school that has ties to Hillsdale College that has a very specific political and religious bent? The public would like to know

Rep. Cordelli: I object.

Comm'r Plache: Anyone able to bid. We did not have an agenda. It's a public charter school approved by the DOE. We did not get into what they're teaching. Advertised for two weeks.

Rep. McAleer: If they put a lot of money into the building. And then it is worth \$800,000 and they have the choice to give us \$200,000 and sell it for \$800,000 not in our best interest. Language on page 12 'this agreement contingent on buyer obtaining finance sufficient to fund improvements to make the building suitable as a school'. How much due diligence did we do on North Star? It seems dependent on grants

Comm'r Plache: They don't have to do closing if they cannot secure financing.

Rep. Belcher: We are talking about a public school and not a private school.

Rep. Brown: The decision was made quite some time ago that we were going to divest ourselves of this building. I don't think he would be here if he didn't have financing. I'm sure we have had this reviewed by legal counsel.

Mr. Yule: We have extensive fundraising campaign we will implement. Most of it comes from the lease agreement. North Star will apply for a lease pay from the State plus money in the budget for leasing from Institute for Classical Culture. Loan guarantee for \$750,000. Once renovation done, we have to prove it is safe for a school, ADA regulations. Not a religious school, allow anyone who applies. Our budget is \$7,300 per student.

Rep. McAleer: Tell me about the Institute for Classical Culture.

Mr. Yule: There are three ways to form a charter school: a group of 20 parents can apply; three certified teachers can apply; or, a founding non-profit can apply for a charter. ICC is the entity that applied to the State for a charter.

Rep. Paige: Are you open to a third party holding a historic preservation easement on the property?

Mr. Yule: I would be open to oversight but not an easement.

Rep. Paige: Would you be open to soliciting technical assistance from the state preservation office? I'm fine with the transfer happening but I don't like this purchase and sale agreement. I would like to have the State division of historical resources look at the deed, offer assistance. Some guarantees. I want to get the building back not only if it fails as a charter school but also if it's not being taken care of. Are you willing to wait a month while working this out with the State office? I feel we should have their eyeballs on this purchase and sale agreement. They might have recommendations

Mr. Yule: Our opening date is September 2024 and we have to get renovations done. We've been six months in this process. I'm not willing to push it down the line. Fear is one month will turn into six months and I will be looking at another building. Our intention is to preserve the building so I am more than happy to have the State agency assist. Great place for people who don't have the best background, don't have the means to send their children to private school, being able to send them to public high school with AP courses in constitutional law

Rep. Belcher: If I looked back through months of meeting minutes would I find anyone bringing a request to have the historical society involved before this point?

Chmn. Avellani: No

Rep. Burroughs: Having historic resources involved might protect the school as well

Rep. Brown: We are required to preserve the building. Certain criteria. The State has oversight and if anyone felt like something was wrong, they could report and the State would investigate.

MOTION: **To move forward with the contract** by Rep. Brown, 2nd Rep. Smith

Rep. Paige: If the school fails, their intentions no longer matter. If they are around five years and then a buyer comes in and takes it, that's my hesitation. An easement runs with the property and we can be sure the preservation runs in perpetuity.

Rep. Cordelli: There have been three charter schools fail in the past 20 years due to financial reasons. Across the State we were seeing new charter schools starting up because of the interest and demand. One in Keene, Lionheart, has already come back to the state for increase in maximum students because of the demand. If there is demand, it will lead to success. I am all for going ahead with this.

Rep. Peternel: This will be using the same curriculum as Lionheart.

Rep. MacDonald: Request that the Institute of Classical Culture meeting minutes authorizing Jim Miller to sign the agreement be attached.

Rep. McAleer: Is it possible to look at their curriculum?

Rep. Peternel: If you go on ICC website, it is available.
 Mr. Yule: Hillsdale College has K-12 curriculum that is publicly available.
 Rep. Burroughs: Is ICC based on Hillsdale curriculum?
 Mr. Yule: Yes
 Rep. MacDonald: Your methods are Socratic, the same as law schools, correct? Not religious based correct?
 Mr. Yule: Yes
 Rep. Cordelli: I have to object to this political introduction and political attacks on the curriculum of this school. Hillsdale College is one of the largest growing curriculums and types of education in this country. Politics should not be part of this discussion. I object strenuously. I have seen attacks on social media that this is a charter school of hate. It is ridiculous and obscene.
 Rep. Burroughs: If anyone wants to learn more, research Hillsdale College
 Rep. McAleer: Hillsdale is a very political organization. You know it, Mr. Cordelli
MOTION: **"To accept the purchase and sale agreement for the property located at 20 Courthouse Square for the terms of the signed agreement signed June 23, 2023 with the Institute for Classical Culture. The motion will include the minutes of a meeting for Institute for Classic Culture dated June 1, 2023 board meeting as distributed to the Delegation"** Passed 10-5 with Reps. Buco, Burroughs, Woodcock, McAleer, Paige opposed.

GOFERR Emergency Equipment Grant

This grant, approved by Governor and Council May 31 will reimburse the County for past purchases of emergency equipment which will provide funding for the County to additional equipment purchases in 2023.

MOTION: **Accept the GOFERR Emergency Equipment grant in the amount of \$139,929 to be applied to account 200.3319.035.551** by Rep. McConkey, 2nd Rep. Woodcock. Passed 14-0

Recess 3:46 p.m. to 4:00 p.m.

Funding Transfer

Chmn. Avellani: Typically funding transfers are handled in the executive committee but due to the gravity of this I chose to bring it to the full Delegation.
 Rep. Buco: Asked for an explanation of the fine
 Comm'r Plache: Anonymous complaint to the State that we did not have enough nursing staff. They discovered we had enough staff but during the investigation learned a staff member worked with Covid. Should have stayed out ten days but only stayed out five. Had exposure to three residents. Never had symptoms. Did not spread Covid to anyone. The rules had changed and this led to the misunderstanding. Opportunity to get the penalty reduced if the appeal right is waived. After consulting counsel, the commissioners agreed to waive the right to appeal.
 Rep. Buco: Under previous administrator we had no deficiencies. What is different now
 Dir. Dodier: We've always had tags on survey; two perfect surveys in 10 years. They came in on a complaint not regular survey. While there they chose to look at infection control.
 Comm'r Plache: If we had been in staffing crisis we would not have been fined and the staff member would have been fine to work
 Rep. Woodcock: Who was supposed to have oversight to staffing coming in and out during the illness period.

Comm'r Plache: The administrator ultimately responsible for what happens in the nursing home. She wasn't involved in the decision to allow someone to work. Someone made a mistake. There is a process for checking everyone for Covid. A bad decision was made on third shift so the person worked.

Rep. Woodcock: Who has the oversight?

Rep. Burroughs: (directed to Dir. Dodier) There were other issues raised by the elder advocate and others who used to work there. Are there still issues with training protocols and other things that were flagged?

Dir. Dodier: Yes

Rep. Burroughs: I think we need to take this a lot more seriously. There is a good chance many more fines coming down the road. Basically no one cares.

MOTION: **Transfer \$101,192 from MVC Salary to MVC Legal line** by Rep. McConkey, 2nd Rep. Smith. Passed 13-1 with Rep. Woodcock opposed.

Commissioners Presentation on Proposed Future Use of the Annex

Members were given a printed copy of the presentation.

Comm'r Plache: This is a real exciting opportunity. We've run out of space at the main building. Our vision is to bring this building back to life. It's very useable. The bones are sound. The roof is tight. We can't get rid of this building because many of the uses for the new nursing home still connected to it- laundry, IT, pellet boiler, maintenance, storage, etc. We have turned over our former meeting room at the administration building to the county attorney for needed office space for her staff.

Coord. Seamans: Reviewed the potential funding mix to pay for the project: \$4,000,000 APRA, \$2,000,000 pending Congressional Funding, GOFERR Nursing Home grant \$775,173 with \$484,590 remaining to be funded. CDBG grant for the remaining is possible.

Rep. McConkey: I am hopeful we will get the \$2 million from Senator Shaheen's office. If not, will the County have to make up that difference?

Ms. Traina: Initially, we had this as a phased project of \$4 million for first phase because of ARPA funds available. The additional funding will allow for completion of both phases. This is a fabulous addition to the community. Can provide a breakout of the two phases. In 2018, Carroll County did a performance contracting project with administration building, jail, and nursing home that relies on energy efficiencies to fund the project.

Comm'r Plache: (in response to Rep Burroughs question) At the beginning of one wing, there would be three rooms where staff could stay. Available to nurses if there is another pandemic, traveling nurses to save money on hotels, staff who work overnight, meant to be temporary.

Rep. Brown: Is there any justification for central purchasing versus just-in-time? I would like to see you justify the exact amount of space needed so, perhaps, space can be freed up for more functional purposes than warehouse.

Comm'r Plache: There is a lot of materials and supplies we have to keep on hand for the nursing home.

Ms. Traina: We have architect and engineer that is ready to with the approval here to do so. The budgetary numbers only go so far.

Mr. Christenson: The numbers won't be changed after they arrive at the firm numbers

Ms. Traina: Anything we can find we can guarantee for energy savings, we will – lighting, HVAC, windows

Rep. Buco: There is a double roof. How will you deal with it?

Ms. Traina: Bob (Murray) knows this and has warned us. This is for the architect and engineer. In about six weeks after they start we will have a better idea and are happy to come back to a meeting.
(in response to Rep. McAleer) If there is interest in solar, we will pursue it. There is a portion of land behind the jail that would be an excellent place for ground solar

Dir. Murray: In order to go through with engineering, the commissioners would have to sign a letter of intent. If the project goes through, the cost of this gets absorbed in the project. If the project does not move forward, Siemens would be paid the agreed amount. This would be paid from ARPA.

Rep. Smith: What is the time frame for each phase?

Ms. Traina: If this moves as fast as we hope it would, we would have the agreement signed by December and start very soon after that. A year and a half for the project?

Rep. Avellani: Has adding assisted living to the nursing home been looked at? Can we use ARPA funds for that instead of this?

Comm'r Plache: We don't see it as part of this project. The ARPA funds would not cover the full cost of that

Comm'r McCarthy: The last feasibility study we had done found this is not a good location for assisted living. If you'd like another study, we can seek grant funds for that. We can find the last study and send a copy to you.

Rep. Belcher: Looking for specific ideas about what space would be used for

Ms. Gagnon: UNH Cooperative Extension offers classes and activities in nutrition, forestry, agriculture, 4-H, food safety, etc. We would use the kitchen for cooking classes and the classrooms and STEM lab for education.

Mr. Gilbert: Our coalition vaccinated most of the County employees. We would have a home base, office, and another area to store PPE and clinic supplies. We could have vaccine clinics.

Ms. Leavitt: In 18 months, we had to move our food pantry 7 times. We now have a good space but had this been available we would certainly have appreciated it. A good portion of the families we serve are in Ossipee.

Rep. McConkey: If this becomes a multi-purpose space, do the Commissioners intend to only write leases to specific organizations? Who will coordinate what sources come in here? And the meeting space. There are plenty of groups that will be competing for this space. I don't want to give the false impression it's a lock-in for any one group

Comm'r McCarthy: We have the staff, at least initially, to do this.

Comm'r Plache: We know there is a need for a commercial kitchen in the community, a large meeting room. County needs first. If we are using the ARPA funds, we weren't looking to spend money unless you indicate it is worth going forward.

Chmn. Avellani: We can't give you absolute numbers because we don't have any numbers.

Ms. Traina: Firm numbers come after having the architect and engineers do their work.

Chmn. Avellani: I don't want to hold this project up if it can go forward and be completed in a timeline that ARPA funds need to be expended or encumbered.

Other Business

Rep. McConkey: Express my thanks and appreciation to Commissioner Tessari for the time and effort she has spent here. Sometimes life takes a twist. I would appreciate if we

could send a letter or card from the Delegation expressing our thankfulness for her service.

Lands Committee

Rep. McConkey: The Lands Committee has met for the past several months. We've discussed possibly repurposing some of the County acreage. Potential projects include providing acreage for a daycare facility, drug and alcohol recovery campus, and workforce housing. Perhaps we can work in conjunction with the Town of Ossipee on the planning and zoning regulations. Wendy Scribner with UNH Extension assisting. The Committee has come to a stall. Would like the subcommittee to fall under the Delegation. Could have a recommendation in six months.

MOTION: **"To expand the advisory committee to a full subcommittee of the Delegation to include the use of the Annex, use of the lands and recommendations to the Commissioners, Delegation and the Town of Ossipee for possible and continued use of the property with three sitting members to continue and the Commissioners to appoint one of their members"** by Rep. McAleer, 2nd Rep. Brown. Passed 12-0 (Reps. Cordelli, Costable and Woodcock absent for the vote)

Rep. MacDonald: Will our water and sewer system support these uses? What location?

Rep. McConkey: Probably not. We have a well field so perhaps we could put wells in the same location and condense the amount of land they would need. Locations being considered are along Route 171; lower lands past the jail.

Rep. Paige: It is really important to emphasize that these discussions are very preliminary. We have not gotten anywhere close to a decision.

Rep. Brown: Suggested expanding the committee to get more buy-in; to at least five members *(there were no volunteers)*

Rep. McConkey: Noted that New Hampshire is 49th in receipt of federal funding for highways. Requested a meeting with Mr. Henderson and/or Senator Shaheen to discuss further.

Annex (continued)

(the Commissioners went to meeting room 2 at the Annex, reconvened their previously recessed meeting, voted to approve the \$94,050 Siemens letter of intent, recessed, and returned to the Delegation meeting)

Mr. Henderson: Very excited the Delegation is supportive of the Annex. Some people see a mess, some see the possibilities. The Senator sees this as the number one project in Carroll County so hoping to push it through the appropriations committee and the (federal) budget.

MOTION: **Accept the proposal to look into going forward on the Annex in the amount of \$94,050** by Rep. McAleer, 2nd Rep. Paige. Passed 11-0 with Rep. Belcher opposed and Reps. Cordelli, Costable and Woodcock absent for the vote.

Public Comment

Mr. Comeau: Point of order. Protest that the commissioners left the room and took an action.

Mr. Cain: Protested the commissioners taking a vote and signing a document in another room

Comm'r McCarthy: It is not illegal to have two meetings at the same time. We came out of recess, took the vote, and went back into recess.

Mr. Steer: Asked about the process for appointing a second commissioner given Comm'r Plache's announced intent to resign.

Chmn. Avellani: We cannot act until there is actually a vacancy.

Recessed to the Call of the Chair (5:28pm)

Approval Date: ____September 7 2023____

Rep. Mark McConkey, Clerk