

GRAFTON COUNTY COMMISSIONERS MEETING

Office of the Commissioners
3855 Dartmouth College Hwy.
N. Haverhill, NH 03774
Monday October 16, 2006

PRESENT: Commissioners Michael Cryans, Ray Burton and William Gabler, Executive Director Julie Clough, and Secretary Jeri Martino.

GUESTS: Harold Brown

The meeting came to order at 9:12 with the first discussion being the objection from Fenn Way Builders, to last meeting's bid award to Ag Structure, to build the heifer barn. Executive Director Clough relayed to the board that she had spoken numerous times to Michael Fenn, who voiced his disappointment and objection over the choice for the bid award, saying that his company was just as qualified, followed the proper bid procedures and that his bid was lower. Executive Director Clough said that she had invited M. Fenn to the meeting today to speak directly with the Commissioners regarding his disapproval of the matter. M. Fenn was going to be out of town but an Attorney for Mr. Fenn would be arriving at 9:30 to discuss the situation.

Executive Director Clough also noted that Farm Manager Kimball's input was that Ag Structures is far more qualified to construct the building than Fenn Way.

After speaking with Executive Director Clough on the 13th regarding the matter, Commissioner Gabler had requested to review the two proposals over the weekend. Commissioner Gabler said that he did a side by side comparison and found that Fenn's proposal contained numerous spelling and grammatical errors, which he said spoke to the company's capabilities and said that they couldn't even spell heifer correctly. In contrast, Ag Structure's proposal is of a higher quality, contained the resumes of the key people involved and includes items for the interior of the building, to which he suggested that Fenn Way did not add items like a curtain because they did not know what that was. The Commissioner also noted that the depth of the concrete was not comparable saying that Ag Structure suggested five inches and Fenn Way noted four inches, though he did concede the fact that he had not actually read the original plan of the structure.

Executive Director Clough also informed the Commissioners that Mr. Fenn remarked that his was a local business and that he thought that the County should make that a higher consideration. Commissioner Gabler noted that just because a bid is lower doesn't mean that the County has to hire anyone out of high school with a hammer.

Commissioner Cryans said that it has always been the practice to try to hire local companies and as Commissioner Burton has said in the past, local craftsmen and local materials, but that is not always the way and the capabilities of the company must also be considered.

Commissioner Burton said that he would not be changing his vote and commended Commissioner Gabler for taking the time and looking over the bids.

Commissioner Gabler said that Fenn Way is currently working on the cupolas and that will be their chance to show the County the quality of their work.

Commissioner Gabler moved to approve the minutes of October 10, 2006, which was seconded by Commissioner Burton. All were in favor.

The Commissioners signed the check registers.

Gary Wood, Attorney for Fenn Way builders arrived and informed the Commissioners that he was there at the request of Michael Fenn, as he is currently out of town. After noting that the bids were approximately \$13K apart, Commissioner Gabler said that the County does not always have to take the lowest bid.

Commissioner Gabler then went on to tell Mr. Wood the aforementioned explanation of why he didn't think that Fenn Way should have gotten the bid award noting the spelling, grammar and overall unprofessional way the proposal was written. Commissioner Gabler also noted that the electrical work and plumbing was not spelled out in the proposal and that Fenn Way planned to pour one less inch of concrete. Commissioner Gabler said that he had much more faith in the durability of the Ag. Structure building and Fenn Way did not make obvious the proper capabilities.

Mr. Wood replied that Fenn Way complied with all the proper specifications and requests of the bid request and attended the pre-bid meeting, whereas Ag Structures did not. Mr. Wood also asked if the County was troubled by the fact that they approved a bid that was beyond the actual requested scope of work, and noted that the interior items were *not* in fact, put out to bid, to which the Commissioners did not reply. Mr. Wood left at 9:40

Executive Director Clough informed the Commissioners that she had a contract from Ag Structures for their signature if they had in fact decided not to change their mind about the bid acceptance. Commissioner Cryans said that as far as he was concerned, the bid had been awarded at the last meeting. All three Commissioners signed the contract.

The Commissioners reviewed the Superior Court report.

Executive Director Clough informed the Commissioners that there would be a Clergy Day Breakfast at the Nursing Home next Monday at 8:30 AM. Commissioner Cryans and Gabler will try to attend prior to going to Lisbon.

The Commissioners signed the sub-recipient agreement for the MicroCredit CDB grant.

Executive Director Clough informed the Commissioners of a letter from Hillsborough County in support of MicroCredit program.

Executive Director Clough informed the Commissioners that the Gile Project had received their CDBG grant approval.

Executive Director Clough presented a request for travel pay to and from the airport, for an Extension Educator to travel to Kansas City in November. Total requested was \$125.

Commissioner Gabler moved to approve the travel pay, which was seconded by Commissioner Burton. All were in favor.

Executive Director Clough gave the Commissioners the first NACo Prescription Discount Card report. The plan was rolled out on the 18th of September and reported as follows for the month of September:

- 50 requests
- 19.45% savings
- 28 actual users

The next report will be for the month of October and is sure to increase.

Executive Director Clough informed Commissioner Burton about the request for payment of an invoice from the town of North Haverhill, in the amount of \$1074, which is for foam used by the fire department on January 2nd, and for the cost of one jacket that was damaged. This issue had been brought up at a prior meeting that Commissioner Burton had not attended and the other two Commissioners were not in agreement as to the decision. Commissioner Gabler thought that we should only pay for the foam and Commissioner Cryans thought we should pay the entire invoice.

Commissioner Burton asked if the fire department had insurance of their own that would cover the costs and Executive Director Clough said that she did not have that answer. Commissioner Burton requested that that information be found out before making any deciding vote decision.

Executive Director Clough informed the Commissioners of thank you notes that had been received from UNH Cooperative Extension for the renewal of their Memorandum of Understanding.

Kirk Stone and Paul Leveille from the Jordon Institute arrived with a PowerPoint presentation about energy and environmentally efficient buildings. Commissioner Gabler had invited them to come in and discuss ways they could assist with constructing an energy efficient new jail. Topics such as burning wood chips and using other renewable sources and technologies were discussed.

Mr. Harold Brown asked what can be done about the heat produced by electrical machines such as computers and copiers. Mr. Leveille said that that is always an issue and that energy efficient equipment should be chosen and the building should also have a small cooling load.

Executive Director Clough presented the Commissioners with spread sheets with the Grafton County Town tax rate information on them. Sheets will be given to the towns when they come to the County tomorrow. Town Day will begin at 10:00 AM

Mr. Brown said that he had a friend who flies and had flown over the logging area and said that it looked very good from the air.

Mr. Brown also said that in his opinion, with all the projects that are going on in the County, that is the County should have a clerk of the works to make sure that materials are being accounted for properly, as everybody cheats just a little bit.

Commissioner Burton dispelled Mr. Brown's fears by saying that he has spoken to Superintendent Oakes about being accountable for all the incoming supplies and that the Executive Director also keeps a good eye on what's going on.

Commissioner Burton said that he has called Judge Lynn who stated that Judge Burling would be staying here in Grafton County and suggested inviting him here for a visit.

Commissioner Burton said he would like to revisit the Bar Association issue and Executive Director Clough said that Sec. Martino told her that after a phone conversation with the current president's Secretary, it was made clear that a new president would be sworn in at the next meeting, which would be coming up this month, and that perhaps the topic of the room could be brought up at the meeting and discussed. The current president will be getting in touch with the Executive Director regarding the matter.

Commissioner Gabler said that he would like to either open that space up to the public, or the Bar Association should have to pay to use the space.

Commissioner Gabler discussed the resignation of Kathi Fortin noting that the Administrative Director would be elevated to Executive Director with an increase in duties and salary.

Commissioner Gabler stated that there should be a Master Plan draft by the end of the month and that it will suggest doing a site plan and to develop land use policies.

Commissioner Cryans said that the new pathway is very nice and appears to be well used.

*11:20 AM – Commissioner Gabler moved to enter into Executive Session as per RSA 91-A:3, Paragraph II, Section a). Commissioner Burton seconded the motion. All were in favor.

*11:40 AM – Commissioner Burton moved to come out of Executive Session and to permanently seal the Minutes from the Session. Commissioner Gabler seconded the motion. All were in favor. No motions were made and no actions were taken while in Executive Session.

Commissioner Gabler moved to concur with the decision of Sheriff Dutile on the suspension of one of his employees, which was seconded by Commissioner Burton. All were in favor.

Being no further business, the meeting was adjourned at 11:45 AM

Raymond S. Burton, Clerk