

Grafton County Delegation Ratification of the Elected Officials Salaries
Grafton County ~ UNH Conference Room
North Haverhill, NH
Monday July 21, 2008

PRESENT: Reps. Mulholland, Almy, Dingman, Gionet, Laliberte, Preston, Aguiar, Friedrich, Cooney, Ingretson, Benn, Solomon, Hammond, Harding, Estes, McLeod, and Bulis. Commissioners Richards and Burton, Executive Director Julie Clough and Sec. Martino

EXCUSED: Reps. Williams, Pierce, Matheson, Bleyler, Nordgren, Andersen, Sorg, Lovett and Eaton.

Chair Mulholland called the Meeting to order at 9:08 AM

The roll call was taken and it was determined that a quorum was present.

Rep. Mulholland thanked everyone for coming and informed them that the reason for this meeting was to ratify the vote that was taken by the delegation in Concord on May 21, 2008, which was to decide on elected officials salaries for 2009 – 2010 at Grafton County. It was noted that the meeting of the 21st may not have been properly warned so it would now be ratified after proper warning.

Rep. Laliberte resolved to ratify the action taken by the delegation on May 21, 2008, whereby the salaries of the County Attorney, High Sheriff, Register of Deeds and Treasurer shall be increased by 2.3% for county year 2009, in line with the consumer price index, and the Commissioners' salaries shall remain at the 2008 level, which was seconded by Rep. Dingman.

Discussion:

Rep. Ingretson asked why this vote had to be ratified and Director Clough said that a right-to-know request was received and it suggested that there was insufficient time given to the public about the meeting.

Rep. Bulis asked what the proper notice would be and Director Clough said that it depends on the meeting:

Commissioner meetings are 24 hours in advance, posted in two appropriate locations, with the website being deemed appropriate.

Delegation (not in session) written notice from the Clerk to each Representative and printed in a paper of general circulation within the County 7 days prior to the meeting. and when in session, twice in the house calendar, 7 days in advance.

Executive Committee is the same as the delegation.

Director Clough said that the County is working on polishing up the procedures.

Rep. Benn asked if in session, is it proper to notice it once in the calendar and once elsewhere and Director Clough said she thought it was but would double check.

Rep. Gionet said that the town of Lincoln was unhappy because they didn't get their notice on the budget hearing until 10:00 am that day.

Rep. Harding asked what went wrong this time and Director Clough said that she only saw it once in the house calendar and that they just wanted to make sure that it was done properly.

Rep. Ingbretson asked if there was some kind of threat regarding the May 21st meeting that brought them in today to ratify and Director Clough said there was no threat but doing things as they should be.

Rep. Hammond asked if this questioning of proper procedure was coming from the same group that has brought the lawsuit against the county regarding the jail vote and Director Clough said that it was.

Rep. Harding said that in her opinion, the delegation is acting on good faith and said she felt there was "menacing" behavior going with this group working against the county.

Rep. Ingbretson asked why then, didn't the delegation just take a re-vote on the jail project and Director Clough said after much consideration and pondering, it was determined that the lawsuit, which had already been served at the time, would not necessarily have "gone away", plus there was concern that a re-vote may not have had the same results as the first.

Rep. Almy said that the old county statutes, which have been interpreted in different ways by different counties, could prove a very dangerous situation without the proper understanding. Rep. Hammond suggested that Director Clough get some direction from NHACo and then disseminate the rules ASAP. Rep. Almy agreed that it would be of help to work on them but didn't think it wouldn't likely happen very quickly.

Rep. McLeod said that she thought it important to get as much information out to the people as soon as possible in regards to the right-to-know law and to respond to all requests for public information as it is there for the public.

Rep. Solomon asked if it wasn't also the county's responsibility to put out all information regarding warnings and Rep. Mulholland said that we're all learning from the experience.

Rep. Aguiar said that he felt it was also important to discuss the salaries of the elected officials in the way of receiving longevity pay and that longevity should not be added on to the salary. He said that he could not find where the money is noted in the budget.

Rep. Ingbretson said that it was an important topic that he would like to discuss but that it might be better to do so at a different time. Rep. Aguiar said that he thought it should be now.

Rep. Gionet asked if it would be appropriate to make an amendment to the current motion that retired people (elected officials) should not receive longevity and Director Clough reminded everyone that the budget has already been approved, adding that only full time elected officials receive longevity.

Rep. Aguiar asked if part-time employees receive longevity and Director Clough replied that that they do but only after reaching the aggregate time.

Rep. Aguiar questioned why all the longevity pay is not listed in the budget when it is for the Farm Manager. Director Clough said that department heads present their own budgets and some of them put it in there and some do not.

Rep. Aguiar asked what is the Sheriff is receiving for longevity and Director Clough said that she wasn't sure off the top of her head but thought it was around \$1040.

Rep. Friedrich said that it would be helpful to know how much the Sheriff is making as an elected official and then how much is noted in the budget.

Rep. Bulis asked if there was any other retired employee who has returned to work who is receiving longevity pay in the county and Director Clough said no one other than the Sheriff.

Rep. Benn stated the delegation should just take care of the ratification right now and look at the budget again next year.

Rep. Dingman voiced his concern about being dragged into the current lawsuit and said that if the rest of the delegation feels "put upon" they are not.

Rep. Gionet asked to hear the amendment to the resolution which was moved and then written by Rep. Preston. Rep. Almy read the amendment as follows:

To resolve to ratify the action taken by the delegation on May 21, 2008, whereby the salaries of the County Attorney, High Sheriff, Register of Deeds and Treasurers shall be increased by 2.3% for county year 2009, in line with the consumer price index, and that the elected officials shall be ineligible for longevity pay, and the Commissioners' salaries shall remain at the 2008 level.

Rep. Gionet seconded the motion.

Rep. Almy suggested that the topic of eligibility for longevity pay be considered before the next budget is fixed for elected officials.

Rep. Aguiar said that this is about who holds the purse strings around here and not just about the Sheriff.

Rep. Harding said that there needs to be a more thoughtful discussion about this but it's not a decision that should be made today.

Rep. Aguiar said just because the delegation has passed a budget doesn't mean that the money has to be spent, which Rep. Mulholland conceded to, saying you could spend less, but not more than.

Rep. Bulis said that he supported the amendment.

Rep. Harding questioned the legality of what they were considering and questioned whether or not there was a signed contract, stating concern for the law. Rep. Gionet said that he saw Commissioner Richards shaking her head and so asked her if there was a signed contract with the Sheriff, to which she answered no and asked Director Clough for confirmation, which she agreed with.

The vote was taken on the amended resolution. Nine were opposed (Reps. Mulholland, Almy, Dingman, Laliberte, Benn, Solomon, Hammond, Harding, Estes) and eight were in favor (Reps. Gionet, Preston, Aguiar, Friedrich, McLeod, Cooney, Ingbretson and Bulis) Amended resolution failed.

Rep. Gionet then stated that he wanted the minutes to reflect the representative's name and the way they voted when one was taken so that people reading the minutes could see which way the rep. voted. Rep. Bulis agreed with that and added that there should not just be a piece of paper at the end of the minutes to show the vote, but stated right there with the vote. Others agreed and Director Clough said it would be done that way.

Rep. Harding said that she would like to formally request that an investigation of the longevity of elected officials be done so that the delegation goes into next year's budget cycle with some information.

Rep. Solomon asked if in fact ratification of the vote meant that you take a re-vote of the original vote and those who voted one way should vote the same and said to go into another direction is not proper.

A vote on the original resolution was taken. 16 were in favor (Reps. Mulholland, Almy, Dingman, Gionet, Laliberte, Preston, Friedrich, Cooney, Ingbretson, Benn, Solomon, Hammond, Harding, Estes, McLeod, and Bulis) 1 opposed (Rep. Aguiar)

Rep. Benn said that he didn't think that they should be taking on other issues as the meeting called was to take care of one specific piece of business and to do anything else would be something that wasn't warned.

Rep. Solomon said that he did not get his question answered regarding whether or not those who voted on the 21st of May were in fact expected to vote the same in this ratification. Rep. Mulholland said that they had done that and the vote has now passed as it did in Concord.

Rep. Aguiar said that he voted against the salary in Concord because he thought it was petty to have reduced the COLA to 2.3% rather than 2.5%.

Rep. McLeod asked if it wouldn't be proper to see where the policies are now and Director Clough said that the policies regarding longevity are in the employee manual which is set by the Commissioners.

Rep. Aguiar said that the whole concept of longevity is in question as it doesn't show in the budget and Director Clough said that could certainly be taken care of for next year.

Rep. Harding said that she would like to see it carved out for the next budget suggesting that it is now likely folded into the salary line. Director Clough said that it is folded into the salary line but is not calculated into the rate of pay as a lump sum.

Rep. Aguiar said he would like it broken out.

Rep. Estes asked why it wasn't an issue until today and Rep. Friedrich said that Rep. Aguiar had brought up the topic many times.

Rep. Harding said that now there is a plan to move ahead.

Rep. Ingbretson said that he disputes Rep. Aguiar's reason of pettiness, saying that a 2.3% COLA in this economy reflects a sense of responsibility.

Rep. Bulis asked for an update on the correctional facility and Director Clough said that it is on hold as there is a tentative court date of August 25th. There may be a minimum increase to build of \$1.1M if the start date is March 2009 and or changes need to be made. Right now they can only wait for the court to play out before knowing how to proceed.

Rep. Harding asked what the legal fees were so far and Director Clough said that as of June 30th the cost is \$115K

Rep. Aguiar moved to adjourn which was seconded by Rep. Cooney. All were in favor.

Being no further business, the meeting was adjourned at 10:06 AM

Respectfully submitted,

Susan Almy, Clerk