

The Board of Selectmen met at the Hampton Town Offices, 100 Winnacunnet Road, Hampton, NH as part of their Selectmen's regular agenda. The topic was to continue the joint discussion of the relocation and/or consolidation of the Hampton and Exeter District Courts.

Hampton Selectmen Chairman James Workman convened the meeting at 7:05PM. Present from Exeter were: Chairman Lionel Ingram, William Campbell, Joseph Pace and Town Manager Russell Dean. Exeter Selectmen absent: Paul Binette and Robert Eastman. Hampton officials included: Virginia Bridle, Rick Griffin, Cliff Pratt and Town Manager James Barrington.

Chairman Workman stated the two courts have been (or will be shortly) moved temporarily and the Towns have until June 30, 2006 to establish a plan to maintain separate courts for the Exeter and Hampton Districts. If no plan in place, per current legislation the State will then work to consolidate the Courts. This will help minimize State costs. As a follow-up from the last meeting the two boards met (April 18, 2005) he noted the Chiefs of Police of the affected towns have met and Speaker of the House Douglas Scamman is inquiring about the desirability of the Legislature to still support a consolidated venture at the suggested location along Route 101 between Exeter & Hampton (letter attached). Peter Goodwin, Administrator of the Courts, has expressed support of a Court in that area and has urged the Boards to go forward.

William Campbell stated he and Town Manager Dean viewed Dover's District Court, in place for 2.5 years, but has some concerns if the plan for Exeter/Hampton's court to be similar. He noted there are 3 court rooms, with room to expand. They have some 5000 criminal cases and 2000+ other cases and seem to handle them adequately for Dover, Rollinsford and Somersworth. Our proposed consolidated court would handle 14 towns with double the population, with a rise in Hampton's numbers during the summer months. Would Exeter's be large enough to handle the 14? Would the location proposed be a burden to the smaller towns farther out?

Joseph Pace stated the benefit tonight would be to hear from the other communities involved and not just from Exeter and Hampton. Clarification needs to be made: if the State gives the one court each for Exeter & Hampton districts, would we want it? Yes but it probably won't happen. If a single court: we would like to participate with the location/site. We should do what we can do to assist and not site by.

Peter Goodwin was present to answer questions of the facility. He stated the Plymouth Court handles 12-13 towns but was not sure of the number of cases. The facility was constructed without a basement; others now being constructed feather a basement when possible, providing 1/3 more space. He suggested forming a committee of local representatives of the towns and hold meetings in order to hear public input from citizens regarding their thoughts on location. In the proposed area being discussed, Mr. Goodwin reported the State owns two locations: by D.O.T. depot (north side of 101) with 7-10 acres, and Route 85, Exeter, just off 101. Both locations are adequate to build a court.

Mr. Goodwin stated Hampton has also offered the current site for a new building, and 2-3 areas in Seabrook have been offered.

Site and design funds were set aside in 2003 by the Legislature but a delay was introduced to hold till the July 1, 2006 date, otherwise ground would have been broken already.

Town Manager Dean asked how the number of cases of each town counts in the process, based upon what Peterborough & Jaffrey did (“Jaffrey has more cases – build it over there”). He stated Seabrook is far away for Exeter and others. Mr. Goodwin said the State has tried to locate courts in the downtown areas in the past to promote towns and support local businesses but that is harder to do now.

Cliff Pratt stressed the magnitude of cases and the building handling all. In the summer, Hampton generates many from beach, along with civil and family cases. Mr. Goodwin noted the Court Accreditation process, through a Committee and Administration Services, determines the size of the court by its caseload. He stated Dover could expand to handle 4-6 more clerks and current unused space could be utilized. The elevator security is built to handle defendants in a secure way. Family court is going state-wide and designated areas will handle these cases. Exeter and Hampton is not scheduled to handle these.

Mr. Dean asked what the minimum lot size should be. Mr. Griffin replied 3-4 acres, with parking being the biggest hurdle (staff, handicapped and visitor with about 65-70 spaces).

Chairman Workman stated the Hampton delegation was also invited this evening, as well as Exeter’s district towns, and he welcomed comments.

Michael O’Neil, Hampton Representative and Majority Leader of the House, explained the 1990 bill to consolidate the courts and \$150,000 appropriated for site and design to coordinate with proposed 2005 funds to build a court. This was placed on hold till 2007 if a decision is reached by 7/2006. The 14 towns should look south to the newer consolidated court in Newburyport and he suggested the plans be for 30-40 years. The Route 101 corridor (Route 111/Portsmouth Avenue) looks like a good area if property is found. The sooner the towns get working on this, the better the legislators will feel.

Cora Stockbridge, Seabrook Selectman, stated Seabrook voters have approved a location if the State wishes, including 75-100 acres, and they would welcome either a joint or single court – free. The Town Manager and Board will be asking the Town to procure a bond for the State to pay back and utilities’ hook-up will be paid (initial but not monthly). The geographically and logistically it may not be great but the location is close to 95 which all towns can access.

Steve Fournier, Town Administrator of Epping, noted his Chief and Board prefer two separate courts and keep Exeter’s centralized around 111. The further east the construction is will not help Epping – it’s the fastest growing area in the State. Seabrook is not good, feasibly, for Epping.

Lee Quandt, Exeter House Representative, noted he has had the opportunity to work in Exeter, Hampton, Epping and Newmarket courts. It is not the distance but the speed of processing the cases. One case could take 3 hours or 100 may take 3 hours. There is more of an administrative burden on the police departments, noting coverage is needed while officers are at court. Consolidation would take time to get used to but it is workable. Parcels off Route 101 would be ideal.

Chief Richard Kane, Exeter Police, stated the Chiefs held a meeting on May 5th at Hampton, with 12 of 14 Chiefs present, as well as the County Attorney. They are unanimous to staying with the original proposal of the 2 courts remaining separate, in the best interest of the public served, those who use it and the police departments.

Chief Kane noted problems, however, still exist:

- (1) Growing population with 14 towns, sheriff's department and state police. If building one court, "it better be big".
- (2) Operations of police departments, with scheduling issues (officers out of town for long periods of time) and the need for overtime. The issue is worse for smaller towns. In order to serve the population correctly, we can't tie up officers in court 6-7 hours at a time.
- (3) If we combine, we will eventually reach the magnitude of the Manchester & Nashua courts.

The courts may consolidate even with what information is gathered but Chief Kane hopes the Towns will have a say with the size and where it goes.

Discussion followed concerning creating a committee – how and who to start the process with. Mr. O'Neil stated the Legislature has not yet given permission for the committee to form. He stated the decision for 1 or 2 courts must be resolved, and then move forward with a committee (or 2 if agree on 2 courts). It was stressed that if the decision is to go with two courts, the Towns will pay for the buildings; if a consolidated court is agreed to, the State pays.

Senator Martha Fuller Clark suggested as elected officials of the towns, an ad-hoc committee could be formed and to reach out for representatives of communities impacted by these decisions. If two courts are preferred, costs should be discussed by the committee on how to share costs with those towns vs. a joint facility with the opportunity for the State to help with the costs.

Mr. Pratt asked about the consolidated court in Dover and questioned that Durham was to have been included. Due to Durham's uniqueness with UNH, they withdrew and provided their own court – their expense. Mr. Pratt asked if the costs were spread out. Mr. O'Neil stated again that if consolidated, the costs are picked up by the State; if 2 courts – the towns pay. It was suggested the ad-hoc committee do preliminary work ahead of the June, 2006 deadline in order to get into the next budget cycle.

Mr. Ingram suggested other towns be involved and not just Exeter and Hampton. Decisions must be made on legal matters, provision of funds if two courts, design and size. Mr. O'Neil suggested contacting colleagues in other towns, decide on 1 or 2 courts and, once the decision is made (or a sense of the majority) contact State reps to get the process going. If two courts, a plan for funding from the towns; if 1, get information together in order to have bill filed in September for the budget.

Mr. Dean noted Exeter has sent letters to those town's in the district, asking them to come this evening or, if unable, providing input. He's fairly comfortable with Exeter's district that the 1 court is favored, though he remains respectful to the Chiefs' thoughts.

Virginia Bridle stated all towns are struggling to man their police departments and it would be tough to go with the 2 court idea and also have to foot the bill for construction.

Mr. Pace suggested sending a formal poll to the Towns, requesting they also schedule the matter for their agendas for public input, and respond with their thoughts. Mr. O'Neil stated the legislation to hold was placed at the request of the Chiefs of the towns, along with the County Attorney. The Legislators also need to hear from the Boards of Selectmen of the towns, noting the chiefs work for them.

It was suggested the two Town Managers prepare a joint letter to send to towns in the two districts, describing the need for a decision of one court or two, and responding by a certain date. The letter should include:

- a suggestion of who might serve to represent their community;
- state if 2 courts – minimal state support; 1 court – state pays.
- have the chiefs become active in planning – providing more weight to the situation.
- respond by July 31st.

Following tabulation of the survey, the information/decision should be forwarded to Peter Goodwin, in time to file by September.

Chairman Workman stressed if separate courts, no funds would be available from the state. Once responses are back, he will work with Chairman Ingram to set a date for an additional meeting.

Chairman Workman recessed the Hampton Selectmen's meeting in order for those present for the Courts discussion to leave. Time: 8:25PM.

Respectfully submitted,

Barbara A. Blenk
Admin. Asst/H.R. Dir.