

1. Convene the meeting.

Chairman Lionel Ingram convened the Board at 7:00PM, following a non-public session held at 6PM for personnel issues. The Boards of Exeter and Hampton were both present for discussion of the Exeter and Hampton District Courts situation. From the Exeter Board: Paul Binette, Robert Eastman, Joseph Pace and Town Manager Russell Dean. Absent: William Campbell.

2. Minutes of April 11, 2005 meeting. Hold till 4/25 meeting.3. Non-Public Session under N'H RSA 91-A to discuss personnel issue.

See above notation during convening of meeting.

4. Introduction of Hampton Board of Selectmen.

Following a brief procedural statement, Chairman Ingram asked the members of the Hampton Board of Selectmen, along with those from Exeter's State delegation to introduce themselves. Present: Chairman James Workman, Rick Griffin, Cliff Pratt, Virginia Bridle, Ben Moore, Town Manager James Barrington and Town Counsel Mark Gearreald. Also present were a few members of Exeter's delegation to the State: Reps. Stella and Douglas Scamman, Carl Robertson and April Mason and Senator Maggie Hassan. Rep. Rogers Johnson arrived later. Also present: Exeter Police Chief Richard Kane and Hampton Chief William Wrenn.

5. Board Discussion

Chairman Ingram gave an overview of the present status of the situation. Exeter and Hampton have separate courts and the State recognized the courts were not adequate and were in disrepair. Exeter has been temporarily moved to Brentwood; Hampton may be moved to a location in Seabrook soon. Legislature has encouraged consolidation of the two courts into a single district and there is a two year period for discussion and proposals.

Chief Wrenn noted the situation involves more than just Exeter and Hampton, with many smaller towns involved in each court. The two court system has worked well for many years and it is the consensus of all the chiefs to remain separate. Their decision is based on transportation and overtime costs and the desire to keep these at a minimum. The problem is location. When the original bill was introduced, it would have provided purchase of the old County Building on Hampton Road, providing for a great set-up for the two-court system. This was not done. The bill has been on the books since then and the Chiefs are afraid the State will go ahead and not work for either district but build one, in a location not convenient for any of the towns involved.

Chief Kane concurred with Chief Wrenn. He also noted his concerns of what the State actually wants. He has contacted the State with names of contractors with land, buildings available, as well as provided a list of State property within Exeter that would be suitable. He has not received much reaction from the State. Exeter's court includes 9 towns, County, State Police and civil action. Hampton's includes 5 towns, State Police and County. He asked how else to approach the State and

what is expected of the Towns: do we need to find them land, build a building, money from the Town's? Who's going to build the proposed building(s)?

Mr. Dean reiterated the legislation is written that if nothing is done by 7/1/06, the two districts fail to exist and an Exeter/Hampton District Court would be formed.

Mr. Barrington stated the concept was presented 10-15 years ago. He noted the issue is not so much to have a court in each of our towns but to be convenient, in order for personnel to not be out-of-service for any length of time (which then requires coverage and overtime). If built in Exeter and consolidated, then Hampton would live with it. From the State's perspective, why are they looking to consolidate the courts? Cost effective with single staff, productivity of the judges, consolidation of maintenance costs. He suggested the concept would be similar to Dover's Court House and the proposed location at the '4 corners' would be close proximity for most towns involved and should solve the issue of funding at the State. He noted Seabrook, however, has offered land to the State to build a court house but does not know particulars. Besides the funding issue of 2 courts vs. consolidated, a priority should be geography.

Mr. Ingram reminded everyone there are more costs involved than "state", as towns would also have additional costs, depending upon the locations. He does not want to pit one town against another.

Mr. Pace asked what the objective is. Is it the sole objective of the two towns for one district? What do we want to see?

Mr. Griffin agreed with Mr. Barrington on one court but the main idea is to find a place that people know where it is and it would be very visible along the Route 101 corridor.

Chief Wrenn suggested we look at the numbers of cases, including civil and criminal cases and whether a combined court would bump us up to a 'super court' level such as Nashua, Manchester and Concord. That would make us the third largest in the state and require one large crew. Chief Kane stated if the court is close to our town line, officers could go and OT would not be an issue. When further travel is required, shift coverage is necessary and would require OT. If the State settles on Seabrook, there would be trouble in covering shifts and costs would be high.

Mr. Binette asked if Hampton had viewed any land owned by the State in Hampton, along Route 101. They do own in Exeter. Mr. Barrington stated an individual has expressed interest in offering land at Route 111/27/101 by the Industrial Park. He questioned whether the Court could possibly use a site within the Park. This area provides good access off highways. Mr. Pratt suggested State-owned land by the Park & Ride on Exeter Road. Consideration must also be made for the summer case load.

Mr. Pace suggested we control our destiny. If we want separate courts and no solution is presented, we may end up consolidated at Seabrook. If we decide to consolidate and suggest a possible location, we may get the State on Board.

Attorney Gearreald noted the use of existing buildings for sites is very low on the State's list of considerations. He noted Chief Kane asked at the March 11th meeting whether the State was waiting for us to build them a court. They stated no, but Attorney Gearreald feels if it is not backed by the legislature, Seabrook will get the site, 'buying' their way into it.

Mr. Ingram invited the representatives to share their views.

Carl Robertson noted he attended the Brentwood meeting last year and came away feeling the State had overwhelming support for two courts, and there is evidence for two. The bottom line is how to best serve the people. He suggested the Board's consult Speaker of the House Douglas Scamman for some good advice on how to get the State to agree. He noted the decision should be to serve the towns better, not the police.

April Hersey Mason asked about the state-owned land in Exeter and who Chief Kane has worked with. The Chief stated he has passed along information to Peter Goodwin, who oversees the Courts Administration), but he is not sure where that information goes. He has received no comments back. Mr. Barrington stated there appears to be a great division among state departments and seem solely interested in the State's budget and not all aspects of the situation.

Ms. Mason noted if nothing is done the project will defer to one court at another location. A financial assessment should be done to estimate costs having one at Seabrook vs. savings with a combined court at a closer location to more towns. The State Representatives could fight on the towns' behalf.

Maggie Hassan noted the capital expenses will be the bottom line and the State will look at one building as cheaper than two. Law enforcement staffing is important but the geographical location must be considered and not just population of an area. We need to make a case back to the State against a Seabrook location, particularly in a dollars/cents language. There are other problems to be considered, including Seabrook and the Beach traffic in the summer. She stated the Towns should make their proposals soon, for the State to react, and the Reps can help sell from an administrative aspect.

Stella Scamman stated her concerns: a) look for the most efficient system for the courts and the 14 towns involved; b) review a map of the towns and find the center, to see what's available for easy access; c) with the area growing, would 2 courts within 1 building be efficient, particularly with growing workloads; d) perhaps get in-put from Judges, getting a feeling for their work load and number of court rooms in buildings needed.

Douglas Scamman noted the State should have bought the County building in 1991 and he has a gut feeling the 4-corner intersection with North Hampton, Stratham, Hampton and Exeter would be most efficient. His concerns: a) one building with enough court rooms may make the judge's schedules better and have a more efficient staff; b) location should be readily accessible for all towns, noting the Hampton Court in the summer is not a good situation. A bigger court would cost less than 2 separate smaller courts, particularly when considering maintenance, heat, etc; c) The Boards' comments need to consolidate a plan and let the State know your thoughts. People in Concord understand money costs, problems with OT and the need to make the courts more efficient. He will speak with people on what the problems are, in the various State Departments.

Mr. Rogers also attended the meeting over a year ago and noted the level of overcrowding, security and costs provided an unstable situation. One consolidated court providing expected growth was included in this plan. If constructing a new building to accommodate all 14 towns, the costs of the building must consider the concerns involved. Chief Kane stated if building one court, it must be big enough with enough judges, court rooms and staff – do it right the first time.

Mr. Pace reminded the Boards the State has the inertia to wait the two years and get what they want.

Chairman Ingram asked for considerations:

Mr. Dean asked what is the situation of Seabrook and what have they offered? Mr. Barrington stated the 2004 Town Meeting of Seabrook approved a donation of 14 acres of land by the Greyhound Park for State use. There have been discussions of Seabrook building a court but he is not sure of the particulars – whether it includes leasing, buying, donation. Mr. Ingram noted our public interest is to be responsible to all citizens and we should build a case for our public. If one building is good for 14 towns, our representatives in Concord could push that point, not what's good for the State or Seabrook but what is best for the public.

Ms. Bridle agrees with preparing a case for Hampton and Exeter but does not want to waste the time and energy if the State has already decided to go with Seabrook. We need to find if the State is still open to working with us. Attorney Gearreald noted Hampton offered to donate the land the present Hampton Court is on to the State and Chief Kane has presented sites available, but there has been no reaction by the State. If one court and one site are convenient to Exeter and Hampton, we should push for it to happen and override the Seabrook deal via our representatives. Chairman Ingram asked the representatives present to find out where the situation with Seabrook is and whether we are still 'in the ballgame'.

Chief Wrenn spoke of the '4-corners' property and, although it's a great location, is this a viable option with the owner? Mr. Barrington stated the owner is very favorable to the idea.

Mr. Moore stated the convenience for Exeter and Hampton is important but it should also be convenient for the other towns. However, we should not lose time seeing whether the 'game' is still on. Before the Boards go forward with supporting one rather than two, the chiefs of the various towns should get back together to see if all are on the same page and whether one would work for them also. Also, should the Boards write a joint letter or separately supporting the decision?

A consensus of the Board members was taken:

Mr. Binette: Though hearing from Mr. Robertson the State is willing to have the two courts, he also heard this evening they may not be leaning that way. One court, geographically placed, would provide Exeter and Hampton easy access.

Mr. Moore: Consolidate along the Route 101 corridor.

Mr. Eastman: One court near the Industrial Park at the '4-corner' area would be ideal.

Mr. Griffin: One court in that area would be great for all.

Ms. Bridle: Consolidate to one court.

Mr. Pratt: One court.

Mr. Pace: A case of 'want' vs. 'get'. The State Reps should ask the State the status; the Chiefs are to confer with their colleagues for support, we should also do a similar letter to our colleagues in the other 12 towns and they, in turn, request support from their state reps to request the Governor and AOC look at the proposals for consideration.

Chairman Workman: It's more practical not to go for two. Mr. Pace's ideas are good, to get all on board. Time is the enemy and we should meet again within 2 months.

Chairman Ingram recapped: The reps will check to see if we're still in the ballgame; Exeter & Hampton Boards agree on 1 court but all 14 towns are needed; the Chiefs will run the idea by the other towns' chiefs and we should meet in 6 weeks to pull this all together for a game plan; ballpark costs with some available data should be formed.

Attorney Gearreald suggested the members visit Dover District Court and see how it works. Some problems have been found and should be viewed and presented for future planning.

Ms. Bridle asked Mr. Barrington to contact Hampton's representatives and have them included at the next meeting.

Chairman Ingram closed the meeting at 8:25PM.

Respectfully submitted,

Barbara A. Blenk
AA/HR Dir.