

Michael Sylvia
216 Farrarville Rd.
Belmont, NH 03220

November 16, 2020

Belknap County Board of Commissioners
34 County Drive
Laconia, NH 03246

Dear Commissioners,

In my letter to you, the Belknap Board of Commissioners, dated November 2, 2020, I expressed my concerns with violations of RSA 91-A. Through some action, other than a public discussion, my letter was forwarded to attorney Fitzgerald for an advisory opinion. Is it the policy of the county to have legal council review correspondence prior to the board taking up said correspondence?

While attorney Fitzgerald puts forward plausible reasoning regarding the possibility of retro-activation of the policy in question, the fact is that no motion was made to enact this policy effective on August 14, 2020. In fact, no motion was made at all. At the August 27, 2020 commissioners' meeting chairman DeVoy stated "we need to ratify the vote to implement a stipend for mandatory overtime." As attorney Fitzgerald previously stated the actions of August 17, 2020 were not votes. Chairman DeVoy's statement either indicates a previous illegal action (a vote taken outside of a public meeting), or was intended to bring a question to the board. In either case, no motion was made to institute a retroactive policy starting on August 14, 2020.

In the discussion during public comments on August 27, 2020 the administrator spoke in glowing terms of the policy 'in the past week since it was adopted.' I have been advised that the first pay out from this policy was made on August 27, 2020, the day it was alleged to have been adopted. Indications all point to a policy that was in place without action by the board to institute the policy.

It is clear to me that the Board of Commissioners has acted with knowing disregard for transparency in their office. When an apology was sought to resolve this issue the board fecklessly spent taxpayer monies seeking a legal fig leaf. These actions were not for the benefit of the people of Belknap county.

Sincerely,

Michael Sylvia
Representative Belknap Dist. 6