

Regular Meeting of the
Hillsborough County Board of Commissioners
January 4, 2017
Bouchard Building, Goffstown, NH
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Pappas, Comm. Rowe, Comm. Bergeron, D. Fredette, J. Hardy, D. Hogan, C. Beaulac, D. Dionne, G. Fisher, L. Gero, C. Kirby, B. Moorehead, C. Monier, M. Montminy, G. Wenger, M. Castonguay, and L. Stonner

CALL TO ORDER

Mr. Wenger called the meeting to order at 9:50 a.m.

NOMINATION OF OFFICERS

Mr. Wenger explained the process of electing Board positions consistent with RSA 28:1 and the past practices followed by Hillsborough County.

Chairman, Vice-Chairman & Clerk (RSA 28: 1)

Motion:

To nominate Comm. Pappas as Chairman of the Board. Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Mr. Wenger led those present in the Pledge of Allegiance.

Comm. Pappas assumed the role of Chair and led the remaining nominations.

Motion:

To nominate Comm. Rowe as Vice Chair. Motion by Comm. Bergeron, second by Comm. Pappas. Motion carried.

Motion:

To nominate Comm. Bergeron as Clerk. Motion by Comm. Rowe, second by Comm. Pappas. Motion carried.

COUNTY TREASURER

Appointment of Deputy Treasurer

Treasurer Fredette requested that the Board approve the appointment of Ruth E. Raswyck as Deputy Treasurer for Hillsborough County.

Motion:

To appoint Ruth E. Raswyck to the position of Deputy Treasurer. Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

ADMINISTRATIVE BUSINESS

Approval of Minutes

Motion:

To approve the minutes of the Board of Commissioner's Regular Meeting held on December 19, 2016.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Supplemental Payroll

Motion:

To approve the total Supplemental Payroll Registers as noted in the Board's Payroll & Accounts Payable Registers packet for a total of \$27,411.46, subject to review and audit.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Motion:

To approve a Regular Payroll Register dated December 29, 2016, in the amount of \$1,139,802.79, subject to review and audit.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Accounts Payable

Motion:

To approve the total Account Payable Registers as noted in the Board's Payroll & Accounts Payable Registers packet for a total of \$3,944,296.00, subject to review and audit.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Bid # Temple 17-02 – Cleaning, Maintenance and Snow Removal Services

Mr. Wenger presented Bid # Temple 17-03 and noted that this bid is for the annual maintenance agreement for the Temple Street property in Nashua. The lowest responsible bidder meeting the specifications is S.J. Services, Inc., Danvers, MA. Mr. Wenger indicated that the bid includes cleaning, maintenance and snow removal. Mr. Wenger added that the bid will go into effect once proper notice of termination is given to the current vendor which is contractually 60 days.

Motion:

To approve Bid # Temple 17-02 for maintenance, cleaning and snow removal at Temple Street; the lowest responsible bidder meeting the specifications is S.J. Services, Inc., Danvers, MA at a price at a \$25,656 for the first year with a \$22.00/hour maintenance rate and a \$30.00/hour snow removal rate.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Mr. Wenger noted that bid price for S.J. Services, Inc., is lower than the current vendor price.

PUBLIC COMMENT ON AGENDA ITEMS

There was no one from the public who wished to comment on Agenda Items.

DEPARTMENT OF CORRECTIONS

Census

Supt. Dionne presented the Department of Correction's (DOC) Census; he noted that as of December 27, 2016, the total in custody was 400, which included 9 in the community. The Census included 320 men; 102 of the

men had been sentenced and 218 were being held pre-trial. There were 80 women; 23 of the women had been sentenced and 57 were being held pre-trial.

Supt. Dionne noted that the DOC was holding 19 female inmates from Rockingham County, and he added that 159 individuals were diverted through the Mental Health Courts including 89 from Manchester and 70 from Nashua.

Overtime Impact Report

Supt. Dionne noted that the DOC's Overtime Impact Report is included in the Board's packet.

Supt. Dionne indicated that he will be presenting a transfer request in the amount of \$600,000 at the January 18th meeting to cover the overtime expense; the DOC currently has 27 openings for Corrections Officers.

NURSING HOME

Census

Mr. Moorehead noted that Nursing Home Census, as of December 29, 2016 was 281; it included 211 Medicaid residents, 42 private pay residents and 28 Medicare, Part A residents.

Bid # 18-2017 – Point of Care Laptop Carts (7)

Motion:

To approve Bid # 18-2017 for seven Point of Care Laptop Carts at the Nursing Home; the lowest responsible bidder meeting the specifications is W.B. Mason, Manchester, NH at a price of \$8,883; bid approval is subject to Executive Committee authorization to expend the funds from the Capital Reserve Account.

Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

REGISTRY OF DEEDS

Mr. Wenger noted that the Register of Deeds has requested that the Board approve the appointment of Lu Ann Gero as Deputy Register of Deeds for a two year term, subject to the bondsman's approval and receipt of a copy of the written appointment from the Board.

Motion:

To appoint Lu Ann Gero as Deputy Register of Deeds for a two year term, subject to the bondsman's approval.

Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

OLD/NEW BUSINESS

Reorganization

Appointments / Meetings & Schedules / Practices

New Hampshire Association of Counties (NHAC)

Discussion ensued relative to the importance of representing the County at the NHAC. Mr. Wenger informed the Board of the positions and appointments that could provide Board members an opportunity to serve and represent the County's interests.

Cooperative Extension Advisory Board

Motion:

To appoint Comm. Bergeron as the Board's representative to the Cooperative Extension Advisory Board.

Motion by Comm. Rowe, second by Comm. Pappas. Motion carried.

NHAC Executive Committee

Mr. Wenger noted that there will be a NHAC Executive Committee Meeting the following Friday; however, it is his understanding that the reorganization of Association will not occur until the February meeting. He explained that the Commissioner's may appoint five members to the NHAC Executive Committee, adding that Comm. Pappas is a member by virtue of being Past President. He noted that Comm. Ziehm held a position as well as Comm. Rowe, Supt. Dionne, Mr. Moorehead and Attorney Kirby.

Motion:

To appoint the following five members to the NHAC Executive Committee: Comm. Paul Bergeron, Comm. Robert Rowe, Supt. Dionne, Mr. Moorehead and Attorney Kirby.

Motion by Comm. Rowe, second by Comm. Pappas. Motion carried.

Certification Board

Motion:

To appoint Supt. Dionne to the NHAC Certification Board.

Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

County/State Finance Committee

Mr. Wenger noted that Comm. Pappas is currently serving on the County/State Finance Committee and added that there will be critical decisions between the Association and Health & Human Services being made going forward that will affect Hillsborough County financially, he added he believes that it is important for Hillsborough County to be represented. The Board will take the issue under advisement and address it at its January 18th meeting.

Emergency Management – Local Director

Mr. Wenger noted that there is a statutory requirement that the County appoint a local director for Emergency Management pursuant to NH Statutes; it is a position that defaults to the Chair if one is not appointed. He added that in the past, the position has been filled by the County Sheriff.

Sheriff Hardy explained that there have been incidents where the Sheriff's Office has sent support under the director for Emergency Management in the past, and if the Board wishes, he will continue as the Emergency Management Director.

Motion:

To appoint Sheriff Hardy to the position of Emergency Management Director.

Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Mr. Wenger noted that all Elected Officials must submit a financial disclosure form.

Following discussion, the following motion was offered:

Motion:

To follow Robert's Rules of Order for conducting Board of Commissioner's meetings.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

The Board discussed the development of the Agenda and Board packets. Comm. Bergeron noted that he would find beneficial if the packets were sent out on Friday so that there is time to review the documents, particularly the bid and contract information.

Mr. Wenger noted that documents sent to the Board are considered to be public documents unless they are identified as confidential.

Mr. Wenger noted that, consistent with RSA 91-A, whenever there are two or more Commissioners attending a meeting, the meeting must be posted, and if the Commissioners notify the COAF of any upcoming meetings that the office is not aware of, it will post the meeting.

Mr. Wenger noted that the national mileage rate has been reduced to 53.5 cents per mile on January 1, 2017 and added that the Board has typically followed the national rate and past practice has been that it is also the rate adopted by the Delegation. Discussion ensued and the Board agreed to use the rate of 53.5 cents per mile.

Mr. Wenger explained that that there has been a practice of accepting inmates from other Counties; the Board has authorized the Superintendent to accept transfers subject to the Board's ratification the following meeting. The Board agreed to continue the practice.

Mr. Wenger noted the prior practice regarding filling \$1.00 positions. The Board agreed to continue this practice. The practice has been to allow departments flexibility to fill a \$1 position, subject to Board ratification at its next meeting. Any \$1 positions that are filled are subject to funds being available in the current budget. If a transfer is required, it would have to be approved prior to filling the position.

The Board agreed to continue the 25 cent per page photocopy fee.

Mr. Wenger explained that any communication between Commissioners is considered to be a public document; Mr. Wenger suggested that when emails are being sent from one Commissioner to another, a copy should be provided to the Secretary or County Administrator for the permanent communications file.

Mr. Wenger explained that regarding use of County Complex property and the meeting rooms for functions, the practice has been that when there is a County department or tenant associated with the function it is considered a proper use. Other requests require approvals regarding the use of County property.

Mr. Wenger noted that the County has Policies & Procedures in place. The Board agreed to follow the current County Policies & Procedures until amended.

Mr. Wenger noted that there are five collective bargaining agreements that expire on June 30th and added that the Department of Corrections' Teamsters has a new exclusive Representative. The Department of Corrections' AFSCME agreement will be expiring. The Nursing Home Chemical Worker's agreement will be expiring. The Sheriff's AFSCME agreement is in the process of negotiations; there is not a continuing agreement in place. Finally, Mr. Wenger noted that the County Attorney's Teamsters agreement will be expiring.

Mr. Wenger added that the practice has been to have one member of the Board of Commissioners attend the negotiation sessions. Discussion ensued and the Board agreed to re-visit the issue when it is time to commence negotiations.

Mr. Wenger explained the County's bidding process. He noted that the NH RSA 28:8-e stipulates that any purchase by the County of \$5,000 or more requires competitive bidding; the practice for the County for several years has been to require informal bidding on purchases between \$1,000 and \$4,999 with the understanding that departments maintain records of the process. He added that prior to that time, the Board practice was that any purchase over \$1,000 required competitive bids and approval by the Board of Commissioners.

Motion:

To continue the current competitive bidding practice.

Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Discussion ensued. Attorney Kirby noted that all bids over \$5,000 are approved by the Board of Commissioners and reviewed by the Executive Committee.

The Board discussed its schedule and agreed to follow the Draft schedule as presented.

County Complex Bid # 15-02A – New Fuel Tank

Mr. Wenger noted that changes in regulations required the County to de-commission the 3,000 gallon oil tank that is located in the facility behind the Bouchard Building that once fueled the furnaces for the Bouchard Building. He added that in July, 2015, the Board approved the purchase and installation of a new tank and had purchased a new 2,000 gallon tank for installation and is in the process of de-commissioning the old tank. He noted that the County is in compliance regarding de-commissioning the old tank; however, during the process of purchase and installation of the new fuel tank, the State regulations changed. He explained that the plan approved for the County requires that there be galvanized piping for the exhaust valves and that change adds approximately \$12,000 in expense. He noted that the County has considered its options and met with the installer, and the recommendation now is to step back from the installation project and to avoid the expense. He noted that the County is now using natural gas for its fuel and would only need oil as a backup; therefore the recommendation is to consider installing two 250 gallon tanks to be used as a backup. He added that the Women's Prison, which should be vacant in approximately a year, is serviced by an 8,000 gallon fuel tank that the County should have future access to. The Board agreed to follow Mr. Wenger's recommendation to work with the current vendor to terminate the project, dispose of the current tank, limit the expenses, and try to keep the approved plan active. The old tank contains a small fuel residue of remaining fuel; the tank is in the process of being de-commissioned and will then meet State environmental requirements.

Mr. Wenger advised the Board that the County Attorney's office at 300 Chestnut Street is running out of space, particularly with new staff coming on board. The office will be utilizing the former Library space and the County Attorney has requested three connections to the internet (computer drops) and the State has approved the request. He added that he anticipates a significant request in the next budget for additional resources.

Comm. Rowe noted that he has previously requested that the County Attorney, when presenting his next budget, provide felony activity by Town to allow the Board to make informed decisions.

Mr. Wenger noted that Felonies First will bring a change in how the Courts address felonies; rather than felonies being presented at the local Courts, they will not be heard at Superior Court and be handled by the County Attorney's department, which may add significant workload and expense to the County. He added that once the County committed to the Felonies First program, the State agreed to fund a Drug Court at Hillsborough County

Superior Court North. Discussion ensued regarding the change and the process.

Mr. Wenger presented the Contract for maintenance of the Temple Street elevator for the Board's signature, noting that the Board had approved the bid at a prior meeting.

Motion:

To authorize the Chair to execute the Temple Street elevator maintenance agreement with NH Elevator.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Following discussion regarding committee assignments, the Board offered a motion:

Motion:

To nominate Comm. Rowe to serve on the NHAC Bylaws Committee.
Motion by Comm. Bergeron, second by Comm. Pappas.

Comm. Pappas entertained a motion for Non-Public Session.

NON-PUBLIC SESSION

Motion:

To move into Non-Public Session consistent with RSA 91-A:3 II (a) relative to a personnel matter and RSA 91-A 2 I (b) relative to collective bargaining.
Motion by Comm. Rowe, second by Comm. Bergeron. Rowe-yes. Bergeron-yes, Pappas yes. Motion carried.

The Board moved into Non-Public Session at 11:04 a.m.

The Board met with Mr. Wenger, Supt. Dionne, and Attorney C. Kirby. Mr. Wenger updated the Board regarding the transition of Bargaining Units at the DOC. No action was taken by the Board.

Supt. Dionne and C. Kirby excused themselves.

The Board met with Mr. Wenger regarding a personnel matter. Mr. Wenger discussed his letter of resignation previously delivered to the Board. No action was taken by at this time.

The Board moved out of Non-Public Session at 12:04 p.m.

Motion:

To come out of Non-Public Session.
Motion by Comm. Rowe, second by Comm. Bergeron. Rowe-yes. Bergeron-yes, Pappas yes. Motion carried.

The Board offered the following motions:

Motion:

To confirm the insurance package offered to the National Corrections Employee's Union.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Motion:

To accept the resignation of the County Administrator.
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

The Board will meet on at 10:00 a.m. on Wednesday, January 11th to discuss the Job Description of the County Administrator and a recruitment process.

Comm. Pappas asked if there was any further business to come before the Board.

ADJOURN

There being no further business to come before the Board, a motion to adjourn was entertained.

Motion:

To adjourn the meeting.

Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

The Board of Commissioners Meeting adjourned at 12:06 p.m.

Approved on January 18, 2017

Comm. Paul G. Bergeron, Clerk
Hillsborough County Board of Commissioners

Date