

Regular Meeting of the
Hillsborough County Board of Commissioners
January 9, 2013
Bouchard Building, Goffstown, NH
Minutes of the Public and Non-Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. T. Pappas, Comm. C. Holden, Comm. S. Ziehm, P. Coughlin, P. LaFrance, D. Dionne, C. Kirby, B. Moorehead, D. Reidy, E. Robinson, M. Castonguay, and G. Wenger.

Also Present: J. Maccarone, P. Martel, C. Harrington, and K. Bourque-the Grievant.

1. Call to Order

Comm. Pappas called the meeting to order at 10:05 a.m.

2. Pledge to the Flag

Ms. Robinson led the Pledge of Allegiance.

3. Grievance

AFSCME Local 2715, Nursing Home-K. Bourque

Comm. Pappas inquired whether the Grievance would be held in Public or Non-Public session. Mr. Maccarone responded that the Grievant wished it to be heard in Non-Public session.

Comm. Pappas entertained a motion:

Motion: To move into Non-Public session consistent with RSA 91-A:3 II (a) relative to a personnel issue. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The Board moved into Non-Public session at 10:07 a.m.

The Board met with C. Kirby, G. Wenger, J. Maccarone, Union Representative; P. Martel, Union President; C. Harrington, Chief Steward; and K. Bourque, the Grievant.

The Board returned to Public Session at 10:21 a.m.

Motion: To come out of Non-Public Session. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

4. Administrative Business

Approval of Payroll Registers

Motion: To approve the following Miscellaneous Payrolls in the following amounts:

- Dec. 28, 2012 \$ 160.00
- Dec. 31, 2012 7,057.57
- Jan. 3, 2013 899.20
- Jan. 3, 2013 112.28
- Jan. 4, 2013 188.34
- Jan. 8, 2013 15,370.65

for a total of \$23,788.04, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To approve a Regular Payroll dated January 3, 2013, in the amount of \$1,116,997.09, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Accounts Payable Register

Motion: To approve Accounts Payable registers dated January 8, 2013, in the amount of \$2,664,512.85 subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Approval of Minutes:

Motion: To approve the minutes of the Board of Commissioner's meetings held on November 14, 2012. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To approve the minutes of the Board of Commissioner's meetings held on November 28, 2012. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Budget Transfer 2013-06 DOC Contingency Grant Expense to Medical/Dental Females

Motion: To approve Budget Transfer 2013-06 for the Department of Corrections to transfer the amount of \$24,472 from Grant Expenses, line 4199-7740 and to transfer a like amount to DOC Medical/Dental Females, line 4230-7588. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

5. Public Comment on Agenda Items

There were no members of the public present who wished to comment on Agenda items.

6. Department of Corrections

Census

Supt. Dionne presented the Department of Correction's Census. He noted as of January 1, 2013, the total in custody was 508; he explained that there were 425 men, including 126 that had been sentenced and 299 that were being held pre-trial; there were 83 women; 37 of the women had been sentenced and 46 were being held pre-trial. Supt. Dionne further added that there are also 19 inmates serving their sentence in the community on work release and day reporting, and 6 that were participating in the grant-funded Pre-Trial service program. He informed the Board that there were a total 158 individuals that have been diverted through the Mental Health Courts. He added the DOC is holding 32 females from Rockingham County; they are being held on a per diem basis.

Bid # FY13-66 – Spork Kits

Motion: To approve Bid # FY13-66 for Spork Kits at the DOC, and to award the bid to Xpedx, Wilmington, MA as the lowest responsible bidder at a price of \$15.40/case and a total of \$6,160. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Video Arraignment Project Update

Supt. Dionne reported that the DOC is waiting for an approved contract from the Administrative Office of the Courts.

Wilton Cemetery Update

Supt. Dionne informed the Board that he has spoken with the landowner who owns the land surrounding the County Cemetery in Wilton and has spoken to Attorney Kirby to address landowner concerns regarding insurance when crossing the abutting land. He added that Attorney Kirby is addressing the concern.

DOC Rules and Regulations

Comm. Pappas explained that the Board has reviewed the updated DOC Rules and Regulations; she agreed to sign the document on behalf of the Board later in the meeting.

Supt. Dionne referred the Board to an updated overtime report that he provided for the Commissioner's packets.

Supt. Dionne requested approval of an inmate transfer from Sullivan County to Hillsborough County; he reported that the inmate attacked officers in Sullivan County's DOC and has charges pending against him for assaulting the officers so he had to be removed from that facility.

Motion: To accept the transfer of a male inmate from Sullivan County to the Hillsborough County Department of Corrections. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

7. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census, reporting that the Census as of January 3, 2012, was 281, which included 207 Medicaid residents, 44 Private Pay residents and 30 Medicare Part A and/or managed care residents; he added that the total census is above budget, the Private Pay residents are a bit low, and the Medicare Part A rate is higher than budget. He noted that the census has been strong for the last 30 days.

December Revenue

Mr. Moorehead informed the Board that he will be prepared to discuss the December Revenue at the next Board meeting.

Mr. Moorehead informed the Board that the Nursing Home's Unit C-4 is still under quarantine because of upper respiratory infections; he added that all the other units have been cleared for admissions and re-admissions. He explained that they are hopeful that the unit will be cleared by the following Monday, and

noted that it has been a difficult flu season and this year's flu vaccine has not been very effective.

Mr. Moorehead requested a Non-Public Session with the Board consistent with RSA 91-A:3 II (c) relative to a matter which, if discussed in public; would affect the reputation of a person,

8. Register of Deeds

Revenue Update

Register Coughlin referred the Board to the revenue update in its packet; she added that the Registry has had a good six months, the Registry is up in all categories, and she is hopeful that it will continue.

10. Old/New Business

Executive Committee Schedule

Mrs. Castonguay referred the Board to the Executive Committee schedule provided in the Commissioner's packets; she noted that the schedule is tentative at this time.

Reorganization

Mrs. Castonguay requested Board approval to hold Executive Committee meetings at the different County facilities/departments; the Board was in agreement and may also hold some of its meetings at the different locations.

11. Public Comment

There was no one present from the public who wished to comment.

Comm. Pappas welcomed County Attorney LaFrance, noting that this is her first Board Meeting. Attorney LaFrance thanked the Board for its welcome and added that she is looking forward to working with the Board and the County Administrator.

10. Non-Public Session

Motion: To move into Non-Public Session:

- with County Attorney P. LaFrance and Attorney Kirby consistent with RSA 91-A:3 II (b) relative to the hiring of an employee, an
- with Mr. Moorehead and Attorney Kirby consistent with RSA 91-A:3 II (c) relative to a matter which, if discussed in public; would affect the reputation of a person,
- with Mr. Moorehead, Supt. Dionne, J. LaFrance and Attorney Kirby consistent with RSA 91-A:2 I (a) relative to negotiations with respect to collective bargaining.
- Motion by Comm. Holden, second by Ziehm. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Non-Public session at 10:35 a.m.

The Board met with County Attorney P. LaFrance and Attorney Kirby.

The Board met with Mr. Moorehead, and Attorney Kirby.

The Board met with Mr. Moorehead, Supt. Dionne, J. LaFrance and Attorney Kirby and Mr. Wenger relative to negotiations.

The Board moved into Recess.

Motion: To move into Recess. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To reconvene the meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The meeting reconvened at 11:35 a.m.

Motion: To come out of Non-Public Session. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The Board moved out of Non-Public Session at 11:35 a.m.

Comm. Pappas asked if the Board had further business to address. The following motions were offered:

Motion: To approve the appointment of an Assistant County Attorney, as nominated by Patricia LaFrance, noting that the appointment is pursuant to *RSA 7:33-F Appointment of Assistant County Attorney*. This action will approve the appointment of John H. Harding as Assistant County Attorney with the statutory powers of that office to assist the County Attorney in the discharge of her duties. In the execution of his duties as Assistant County Attorney, he shall act under the supervision, direction and control of the County Attorney. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To ratify the collective bargaining agreement between the County and Teamster's Local #633, Supervisory Employees of the Hillsborough County Department of Corrections for July 1, 2011 to June 30, 2014, noting that the Board has been advised that the bargaining unit members have previously met and ratified the agreement. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To deny Grievance # PM 612, Grievance #PM 613, and Grievance # PM 614 that were heard collectively today. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger presented the Board with Committee appointments for its consideration. He explained that the following have served in the past:

- Comm. Holden has served on the Cooperative Extension Advisory Board
- NHAC Executive Committee has 5 positions, as well as the immediate past president, in this case, it has been Comm. Pappas; additionally it has been Comm. Ziehm, Comm. Holden, Ms. Robinson, Mr. Moorehead, and Mr. Wenger to fill the other 5 positions.
- NHAC Certification Board - Supt. Dionne has served on that.
- County/State Finance Committee – Comm. Holden has served.
- NHAC Legislative Committee – Open participation
- NHAC Pandemic Planning: Status in question
- Emergency Management RSA 21-P:39 – Can appoint a local director-Defaults to BOC Chair if none appointed.

The Board concurred that the persons that have been serving would continue to serve, and the following motion was offered:

Motion: To approve Committee Appointments as presented:

- Cooperative Extension Advisory Board – Comm. Holden
- NHAC Executive Committee – Comm. Ziehm, Comm. Pappas, Comm. Holden, Ms. Robinson, Mr. Moorehead, and Mr. Wenger.
- NHAC Certification Board – Supt. Dionne
- County/State Finance Committee – Comm. Holden
- NHAC Legislative Committee – Open participation
- Emergency Management RSA 21-P:39 - Defaults to BOC Chair if none appointed.

Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Mr. Wenger provided the Commissioners with information relative to the financial disclosures they are required to file by the third Monday in January.

Mr. Wenger presented the Board with the UNH Cooperative Extension Memorandum of Agreement and added that it has been signed and approved by the Delegation and is ready for the Chair of the Board of Commissioners to sign. It will then be forwarded to UNH-Durham.

Motion: To authorize the Chair to execute the Memorandum of Agreement between the University System of New Hampshire and Hillsborough County. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

In response to a question from Comm. Pappas, Mr. Reidy responded that the MOU is a six-year agreement.

Mr. Wenger requested a motion to remove Dennis Hogan from a Credit Card for use by the County Attorney's Office and to add Patricia LaFrance as an authorized user.

Motion: To authorize the removal of former County Attorney, Dennis Hogan from the previously approved Credit Card issued to the County Attorney's Office, and to add County Attorney Patricia M. LaFrance to the account. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger informed the Board that the Office of Administration & Finance experienced a broken pipe in the basement storage area and in reviewing the affected documents, the vast majority of those stored in that area can be disposed of subject to the County following RSA 33-A, which relates to the disposition of Municipal Records, and sets out a schedule that municipalities should follow with respect to the maintenance of records. He added that the County will follow the standard and statutes.

Motion: To authorize the County Administrator to properly dispose of records that the County is no longer required to keep consistent with RSA 33-A. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger presented the Board with a Draft Procedure for the distribution of the Board's meeting minutes for its review and consideration.

Mr. Wenger requested that the Board give consideration to the initiation of the budget process at its next meeting. Comm. Pappas asked if the Board should consider meeting every two weeks during the budget process. Mr. Wenger noted that as the Board meets every 2 weeks, there are things that don't get done. He added that it might be beneficial to meet every three weeks to provide an opportunity to get things done between meetings; however, he would only suggest that between February, and March, and in June;

the Board will be meeting frequently for budget meetings, so for that period, it could be considered. He added that there are procedural issues with regards to Accounts Payable and Payroll as well as transfers and grievances that would need to be addressed if there is interest in changing the meeting schedule. Mr. Wenger offered to provide a Draft Schedule for the Board's consideration at its next meeting.

11. Adjourn

Lacking further business, Comm. Pappas entertained a motion to adjourn.

Motion: To adjourn the meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The meeting adjourned at 11:50 a.m.

Approved on January 23, 2013

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date