

**Regular Meeting of the
Hillsborough County Board of Commissioners
January 25, 2012
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. S. Ziehm, Comm. T. Pappas, Comm. C. Holden, P. Coughlin, D. Dionne, C. Kirby, B. Moorehead, S. Morin, D. Reidy, E. Robinson, M. Castonguay, and G. Wenger

1. Call to Order

Comm. Ziehm called the meeting to order at 9:00 a.m.

2. Pledge to the Flag

Mr. Reidy led the Pledge to the Flag.

Comm. Holden requested a moment of silence in honor of Attorney T. Flygare.

3. Administrative Business

Approval of Payroll Registers

Motion: To approve the following miscellaneous Payroll Registers in the following amounts:

- January 13, 2012 \$612,088.61
- January 19, 2012 756.06

for a total miscellaneous payroll of \$612,844.67, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve a regular Payroll Register dated January 19, 2012, in the amount of \$1,134,195.80, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Approval of Accounts Payable Register

Motion: To approve the Accounts Payable Register dated January 24, 2012, in the amount of \$616,539.50, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Extraditions

Motion: To approve the following Sheriff's Extradition vouchers for the following dates:

- November 30, 2011 \$133.30
- December 19, 2011 57.84
- December 21, 2011 254.70
- January 3, 2012 86.75

for a total extradition expense of \$532.59. Motion by Comm. Pappas, second by Comm. Holden, noting that they have been previously approved by the County Attorney. Motion carried.

Bid # CIS-15-2012 – Munis Mandatory Data Conversion

Motion: To approve Bid # CIS-15-2012 for Munis Mandatory Data Conversion to SQL DB to Tyler Technologies, Dallas, TX, at a price of \$5,000, noting it is a single source bidder consistent with RSA 28:8-e V. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Bid # CIS-16-2012 – FY2012 New Software

Motion: To approve Bid # CIS-16-2012 for new software to Insight Public Sector, Tempe, AZ, at a price of \$6,419.39, noting it is the lowest responsible bidder. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

4. Public Comment on Agenda Items

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

5. Department of Corrections

Census

Mr. Wenger presented the Department of Corrections' Census, noting that as of January 17th, the Census was 502, and explained that this included 460 men, of whom 140 have been sentenced, and 320 who are being held pre-trial. There were 60 women, of whom 17 have been sentenced, and 43 who are being held pre-trial, and there are 10 in the community.

Administrative Transfer

Mr. Wenger advised the Board, on behalf of Supt. Dionne, that on January 9th the DOC accepted the transfer of a male inmate from Merrimack County Department of Corrections.

Motion: To approve the transfer of a male inmate from Merrimack County Department of Corrections. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

6. Nursing Home

Census

Comm. Ziehm recognized Mr. Moorehead who presented the Nursing Home Census. He noted that as of January 19th the Census was 277, which included 196 Medicaid residents, 42 private pay residents, and 38 Medicare Part A residents; he noted that the census dropped rather quickly since the Nursing Home has experienced a higher than normal number of expirations and discharges; there are 3 admissions schedule for today with the possibility of 5 total.

Bid # 17-2012 – Draperies

Mr. Moorehead presented Bid # 17-2012 and explained that this bid is for draperies for the resident rooms and added that this will just about complete the renovation process that was budgeted for Unit A-2. He recommended J & R Langley, Inc., Manchester, NH as the lowest responsible bidder at a price of \$10,007. He added that the drapes are flame-spread rated, which is a requirement and there is a two-year warranty from the date of install. The company will do the install for 23 resident bed-rooms and the large dining room on that unit. He added that the full amount is reimbursable through depreciation.

Motion: To approve Bid # 17-2012 for draperies for the resident rooms at the Nursing Home; the recommended vendor is J & R Langley, Manchester, NH as the lowest responsible bidder at a price of \$10,007. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

December Revenue

Mr. Moorehead presented a December Revenue Update. He explained that the Room & Board and ancillary budgeted amount for December was \$1,821,129, while the actual is \$1,791,677, after adjustments, resulting in a negative variance of \$29,452. He explained that this does not include ProShare or Bed Tax.

Year-to-Date Revenue

Mr. Moorehead explained that the year-to-date Room & Board and ancillary budgeted amount was \$10,926,774, while the actual is \$10,861,983 resulting in a negative variance of \$64,791. He explained that the budget is on track through December 31st.

Mr. Moorehead presented a spreadsheet titled Fiscal Year End Estimates (unaudited). He added that this is intended to show an estimate of Net Income for FY 2012 based on information that is available at this time. He added that the budget goal is to break even and this projection indicates an estimated Net Income of \$58,553. He noted that the estimate relies heavily on estimated ProShare income of \$2,000,000. He added that it looks good at this point in time, but anything can happen.

Comm. Holden asked Mr. Moorehead how long it took to gather the information for this estimate that was requested by the Executive Committee. He noted that it took approximately a day and one-half.

Private Pay Charge

Mr. Moorehead requested that the Board give consideration to raising the Private Long Term Care rate from \$280 to \$290 per day, and to raise the Unit A-1 rate from \$280 to \$300 per day; the changes are proposed to become effective March 1, 2012. He added that Unit A-1 is the dementia unit and there has been an increase in one-on-one care and 15-minute bed checks to reduce the incidence of falls.

Comm. Ziehm asked if this was consistent with other Counties; Mr. Moorehead responded that a survey was done of six Nursing Homes in the area relative to the current long term care rates; Hillsborough County was the lowest, and with the change to \$290, the facility would be \$1 above the lowest. He added that the highest private pay rate was \$346. Mr. Moorehead explained his reasoning behind the request for the increase. Following further discussion, Comm. Pappas offered the following motion.

Motion: To approve increasing the Private Long Term Care rate from \$280 to \$290 per day, and to raise the Unit A-1 rate from \$280 to \$300 per day; the changes are proposed to become effective March 1, 2012. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Request to Write-off Uncollectable Accounts

Mr. Moorehead distributed information relative to amounts that have not been collected from 2008, 2009, and 2010 that he is requesting be written off. He noted that the total write-off he is requesting is \$344,229.45. He added that the auditors make an allowance annually for bad debt; that has been \$350,000 a year, or approximately 1% of revenue; he further noted that this is well below the industry standard of 1 to 3% per year. He explained that Ms. Morin, along with Attorney Kirby, have been significantly responsible for keeping the uncollectible funds down. Ms. Morin explained how the facility

attempts to collect all funds and noted that Medicaid makes it tougher and tougher. Attorney Kirby added that the facility is doing well and the amount of the requested write off is lower than the industry average.

Motion: To approve the write-off of the uncollectible funds in the amount of \$344,229.45 as suggested by Mr. Moorehead, noting that this is for a three-year period. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Moorehead informed the Board that as the result of Ms. Chidavaenzi overhearing two aides talking about the fact that they could not afford the food they needed, she presented the idea of the Nursing Home organizing a food pantry for Nursing Home staff. It is called Co-Workers helping Co-Workers; he presented a list of items that are needed along with a request for contributions, if possible. The intent is to give out what is collected on a monthly or bi-monthly basis. He added that employees at the Nursing Home will have an opportunity to sign up or to donate, and Ms. Chidavaenzi will monitor the program. He added that information regarding those who participate will remain confidential; contributions may be directed to Ms. Chidavaenzi.

7. County Attorney

Domestic Violence Grant Award

Attorney Hogan presented a copy of the Department of Justice Grant Award signature page for the Board's approval. He added that the grant is for a Domestic Violence Prosecutor in the County Attorney's office. Attorney Hogan noted that he met with the Manchester Mayor and Police Chief along with and the solicitor for the City of Manchester to inform them that going forward, the Domestic Violence Prosecutor grant funds will not be available through the County, and if they want to continue to have a Domestic Violence Prosecutor for the Manchester District Court they will have to find other sources of funding this individual's salary.

Motion: To authorize the Chair to execute the Department of Justice Grant Award application. By Comm. Pappas, second by Comm. Holden for the purpose of discussion.

In response to a question from Comm. Holden, Att'y Hogan explained that this grant will pay for a Domestic Violence Prosecutor working as a Hillsborough County employee, who in turn works in the Manchester District Court handling domestic violence issues. Mr. Wenger added that this is for a \$30,000 grant and there will be another request for a \$10,000 grant. He added that this was put in the budget when the grant became available at the end of the budget process, it runs through the end of the current fiscal year.

Motion carried.

UNH Law Fellowship

Attorney Hogan presented information relative to an agreement with the University of NH that would provide a Fellow under the UNH Law Public Service Fellowship Program for one year; he added that the Fellow would be paid \$30,000 by UNH. He noted that she would serve under the direction of the County Attorney's office. In response to a question from Comm. Holden, Att'y Hogan responded that the liability concerns have been addressed. He noted that today he is requesting Board approval of the acceptance of the Fellow.

Attorney Kirby responded that the Fellow would not be considered an employee of the County; she noted that the agreement was changed to clearly reflect that the individual is an employee of UNH, not

Hillsborough County. She added that language was added that indemnifies the County relative to any liabilities.

Motion: To approve utilizing the UNH Law Public Service Fellowship Program, in a three-way agreement with the County Attorney's office and to authorize the County Attorney to sign the agreement. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

8. Registry of Deeds

Revenue Update

Register Coughlin offered information relative to revenue for the period of July 1, 2011 to December 31, 2011 and explained that Tax Stamps have increased 13% over the previous year and noted that currently the Registry revenue is on target for the current year's budget. She added that the figure of \$19,490 that is listed under returned checks has been collected and the income is added to Other Fees.

10. Old/New Business

Mr. Wenger presented a request to change positions in the Business Office. He added that since the last Board meeting, he has received a resignation and a retirement; therefore the Account Clerk III and Account Clerk II positions are open. He explained that he is recommending the elimination of an Account Clerk III position in conjunction with the creation of an Account II position. The change would result in two Account Clerk II positions in the Business Office. He requested Board approval, noting that the request to eliminate the Account Clerk III position would be conditioned on approval of the Account Clerk II position. He added that he would also take the request to the Executive Committee for its approval. He added that he is anticipating a savings in the range of \$5,000 and explained that the Account Clerk III was at 32 hours, and was benefit-eligible but was not retirement plan eligible. The new position would be full time and be retirement-eligible.

Motion: To approve the creation of a Clerk II position at Grade Six for forty hours, conditional on the approval of the Executive Committee, and if approved by the Executive Committee, to move forward with the elimination of the Account Clerk III position at Grade 7 for 32 hours. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Holden informed those present that there are pending bills being presented in the Legislature that would change the operation of the County relating to creating positions in the County as well as other County-related bill; she asked the Board to be involved in testimony relative to the bill.

Goffstown Zoning Petition Public Hearing

Mr. Wenger provided an update regarding the County's petition for change of zoning. He noted that the Public Hearing was held earlier in the month; he had an opportunity to speak on behalf of the County. He reported that the Planning Board did move to recommend the Warrant Article so that will go on the Warrant in March.

Mr. Wenger informed the Board that he received notification regarding a Warrant Article on the March Warrant and added that he had conversation with Selectman. Pierce, the head of DPW and Capt. Cusson relative to the Article. The Warrant Article gives the County notice that the Town will submit a Warrant Article to reclassify a portion of the former Henry Bridge Road to a Class B Trail; the intent is to fill in a section of that road so that it can be included in the Rail to Trail without the necessity of adding a bridge.

Mr. Wenger added that the large payroll for Sick Pay reimbursement was approved earlier; he requested the Board's approval to release that Payroll.

Motion: To authorize releasing the Sick Pay reimbursement payroll. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Wenger noted that he forwarded an email the previous day relative to setting up a meeting regarding Video Conferencing for February 3rd to review expectations and potential cost.

Mr. Wenger added that he has two requests for Non-Public Session and a request to meet consistent with RSA 91-A: II (d) relative to the lease of real property.

Mr. Reidy distributed copies of the UNH Cooperative Extension report: "UNHCE Re-Extension Final Report: Reinvent, Reconnect and Reinvigorate." He added that regional meetings are taking place and noted that while they don't know the results yet, there will be a more regional approach to the work that Extension does. He added that County Offices will still be needed to provide a base to work from, and noted that there are 23 less employees with Extension since the beginning of this last fiscal year. Mr. Reidy noted that the budget will remain much the same for the coming year but it is not known how it will proceed going forward; he added that staff will be required to submit new applications and resumes and then Administration will determine how to distribute those positions. He added that the overall Cooperative Extension budget has been reduced by UNH in the amount of 1.7 million dollars.

11. Public Comment

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

12. Non-Public Session

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

The Board moved into Recess at 11:15 a.m.

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

The meeting reconvened at 11:25 a.m.

Comm. Holden reviewed the requests for Non-Public Sessions and the request to meet relative to negotiations and made the appropriate motions.

Motion: To move into Non-Public Session with the following persons relative to the following concerns:

- with P. Coughlin, E. Robinson, D. Reidy, Att'y Kirby, Att'y Hogan and Mr. Wenger, consistent with RSA 91-A:3 II (a) relative to compensation of employees;
- with P. Coughlin, E. Robinson, D. Reidy, Att'y Kirby, Att'y Hogan and Mr. Wenger, consistent with RSA 91-A:2 I (b) relative to negotiations,
- with Attorney Kirby and Mr. Wenger consistent with RSA 91-A:3 II (d) relative to the lease of real property.

Motion by Comm. Holden, second by Comm. Pappas. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Non-Public session at 11:27 a.m.

The Board met with P. Coughlin, E. Robinson, D. Reidy, Att’y Kirby, Att’y Hogan and Mr. Wenger relative to compensations of employees.

The Board met with P. Coughlin, E. Robinson, D. Reidy, Att’y Kirby, Att’y Hogan and Mr. Wenger relative to negotiations.

The Board met with Attorney Kirby and Mr. Wenger relative to the lease of real property.

The Board moved to come out of Non-Public session at 12:45 p.m.

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

Comm. Ziehm asked if there was any further business before the Board. Comm. Pappas offered the following motion.

Motion: To authorize Mr. Wenger to execute a Waiver and Release involving an employee in the Business Office. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To authorize Mr. Wenger to draft an agreement with the Women’s Prison to bring to the Board for a three-year extension of the current lease under the same terms and conditions. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To authorize Mr. Wenger to draft a letter to forward to the Executive Committee regarding the Budget process, subject to signatures of the Board. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

The Board discussed the House Bills being considered the following day and its position relative to each.

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

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

The meeting adjourned at 12:50 p.m.

Approved on 5/2/2012

Comm. Carol Holden, Clerk/Vice Chairman
Hillsborough County Board of Commissioners

Date