

Meeting of the
Hillsborough County Board of Commissioners
January 27, 2010
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. Pappas, Comm. C. Holden, Comm. M. Clemons, P. Coughlin, C. Kirby, B. Moorehead, J. O'Mara, D. Reidy, E. Robinson, M. Rusch, G. Wenger, and L. Stonner.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 10:04 a.m., followed by the Pledge to the Flag led by G. Wenger.

2. Administrative Business

Minutes

Commissioner Pappas noted that the Board would address administrative business at this time.

Motion: To approve the minutes of the Regular Board of Commissioner's meeting dated January 13, 2010. By Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Payroll Register

Motion: To approve the Payroll Register dated January 21, 2010, in the amount of \$1,148,258.89, subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the Payroll Register dated January 27, 2010 for the Unused 2009 Sick Time reimbursement in the amount of \$622,645.97, subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Approval of Accounts Payable Registers

Motion: To approve the Accounts Payable Register dated January 27, 2010, in the amount of \$1,520,715.59, subject to review and audit. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Sheriff's Extraditions

Motion: To approve the Sheriff's Extraditions for November 24, 2009 in the amount of \$108.22, for December 2, 2009 in the amount of \$36.60, and for December 10, 2009 in the amount of \$2.00, for a total of \$146.82, noting that these have been previously approved by the County Attorney. By Comm. Holden, second by Comm. Clemons.

Comm. Clemons inquired about how there could have been an Extradition expense of only \$2.00. Ms. Stonner referred to the documentation and noted that it was for tolls.

Motion carried.

Telephone Polls

Comm. Pappas entertained a motion relative to the Telephone Poll conducted since the last Board meeting; she noted that there are three Telephone Polls for the Board's approval. Comm. Clemons addressed the first Telephone Poll, which was related to Budget Transfer # 2010-12; it was conducted on Wednesday, January 20, 2010 to address a request to transfer funds from the Contingency Salary to various salary lines in the Department of Corrections budget. The transfer is for costs associated with the Delegation's approval of the Collective Bargaining agreement between the County and AFSCME Local 3657.

Motion: To affirm the Telephone Poll conducted on Wednesday, January 20, 2010 for Budget Transfer # 2010-12 in regard to transferring a total of \$112,690 from Contingency line 7010-Salaries/Wages to Corrections lines 7010 Salaries/Wages - \$99,471; line 7100 Social Security - \$1,442, and line 7130 Retirement - \$11,777 for a total of \$112,690. The request was approved 3 to 0 by Telephone Poll. Motion by Comm. Clemons, second by Comm. Holden. The motion carried to affirm the action taken during the Telephone Poll.

Comm. Holden addressed the second Telephone Poll.

Motion: To approve the Telephone Poll conducted on Wednesday, January 20, 2010 to address a request to transfer funds from the Contingency Grant Expense line to the Department of Corrections Outside Services line. The transfer is for costs associated with the Community Connections Mental Health Court Project Grant through the DOJ Bureau of Justice Assistance. The motion is to approve Budget Transfer # 2010-13, transferring a total of \$9,000 from Contingency line 7740-Grant Expenses to Corrections line 7290-Outside Services. All three Commissioners were reached and expressed support for the action. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Clemons moved the final Telephone Poll.

Motion: To affirm the Telephone Poll conducted on Wednesday, January 20, 2010 in regard to approving Budget Transfer # 2010-14, transferring a total of \$21,137 from Corrections line 7960-Building Additions & Renovations to the Department of Corrections line 7970-New Equipment in support of the new HVAC Control System for the facility. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

3. Public Comment on Agenda Items

No one from the public indicated a desire to speak relative to the agenda.

4. Department of Corrections

Census

Supt. O'Mara presented the DOC Census, noting that as of January 22, 2010; the Census was 631; there were 16 in the community either in home confinement or day reporting. He explained that there were 615 in-house, which included 559 men of whom 397 were being held pre-trial, and 162 that had been sentenced. There were 72 women of whom 45 were being held pre-trial and 27 that had been sentenced.

Bid # FY10-92 – Facility HVAC Control System

Supt. O'Mara presented Bid # FY10-92, which is for an HVAC Control System for the Facility. He requested that the Board approve awarding the bid to Johnson Controls, Inc., Manchester, NH, at a cost of \$231,800 with a request to waive competitive bidding; it is a sole source provider consistent with RSA 28:8-e, (V); he explained that two York Chillers were purchased in 2007 to supply the Correctional facility with chilled air seasonally; he noted that the York Company is owned by Johnson Controls, and the chillers were manufactured with Johnson Control software and associated components. He explained further that in order for the HVAC system's new controls to incorporate the York chillers, the retrofit must be made using Johnson controls, equipment and software. Supt. O'Mara noted that the facility is over twenty years old and it is necessary to replace major components of the HVAC system. Supt. O'Mara explained that this control system will replace the existing pneumatic system with a direct digital control system; this change will increase efficiency and will eliminated the need for staff to go around the building and make manual adjustments in the various housing units during the summer season.

Motion: To approve Bid # FY10-92, which is for an HVAC Control System for the Department of Corrections to Johnson Controls, Inc., Manchester, NH, at a cost of \$231,800 with a request to waive competitive bidding consistent with RSA 28:8-e, (V), noting that Johnson Controls would be a sole source provider. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Clemons asked for clarification relative to the DOC changing from a pneumatic system to a digital system and inquired if the system would be completely controlled by computers. Supt. O'Mara responded that the system will control:

- the two Cleaver Brooks boilers
- two hot water circulator pumps
- two York chillers
- two chilled water circulator pumps
- seven air handlers units that are on the roof, which are associated with VAV & FPB's
- seven variable speed drives for the air handlers
- one computer server for the maintenance office, and
- all software, controllers, valves, actuators, and sensors

Supt. O'Mara explained that the bid also includes training. He also explained that as a result of having the old system, the staff was forced to take temperatures in every unit and in every area of the building all year long because the DOC staff was getting complaints. Supt. O'Mara summarized by noting that this change should eliminate any variables that exist in any of the housing units.

Motion carried.

Supt. O'Mara noted that he has one item to address under Old/New Business.

5. Nursing Home

Census

Mr. Lencki was recognized. He explained Mr. Moorehead was unable to attend today's meeting because of a family member's illness. He presented the Nursing Home Census and explained that as of January 21, the Census was 276, which included 207 Medicaid residents, 44 private pay residents, and 25 Medicare Part A residents as well as 18 Hospice residents in-house and 20 ELU Residents.

Comm. Pappas congratulated the Nursing Home for the nice article in the newspaper relative to the Bake Sale that was held the previous day at the Nursing Home for the benefit of the Red Cross Haitian Relief Fund. Mr. Lencki noted that the Bake Sale raised in excess of \$1,000. He explained that Red Cross will be coming to the Nursing Home to receive a check, and at the same time, those participating will be recognized.

Bid # 12-2010 – Ceiling Tiles

Mr. Lencki presented Bid # 12-2010, which is for Ceiling Tiles at the Nursing Home for units A-1 and A-2. He recommended Wallboard Supply, Londonderry, NH as the lowest qualified bidder at a total price of \$5,455.46.

Motion: To approve Bid # 12-2010 for Ceiling Tiles at the Nursing Home to Wallboard Supply, Londonderry, NH as the lowest qualified bidder at a total price of \$5,455.46. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Mr. Lencki noted that he has one item to address during Old/New business.

6. County Attorney

Comm. Pappas recognized R. Walsh, County Attorney. Att'y Walsh noted that he wanted to update the Board about the move to Nashua. He explained that it went very smoothly and the space provided is enough for the staff. He expressed his appreciation of the great effort that went into both the planning and the move and thanked the Board, Mr. Wenger, Ms. Robinson, and Register Coughlin.

Att'y Walsh informed the Board that he will be presenting a request to hire Tony Introcaso, from Manchester as a replacement for Att'y Gorham who has gone to the State Attorney General's office.

Comm. Pappas recognized the Register of Deeds, P. Coughlin. Ms. Coughlin noted that she did not have anything to report at today's meeting.

Comm. Pappas recognized D, Reidy, who noted that he did not have anything to report at today's meeting.

Comm. Pappas recognized the M. Rusch. She reported that the next Executive Committee meeting will be held on March 5th at 9:00 a.m.; she noted that is a week later than previously scheduled.

7. Old/New Business

Supt. O'Mara provided information relative to a report that came out the previous day; the PEW group and the Justice Center have been working to evaluate the NH State Prison system in an effort to look at its population and ways to reduce it. He noted that County Corrections Departments were concerned because from the State's perspective, consideration might focus on reducing its population by increasing the population in the County jails. He noted that there has been an extensive joint effort on the part of the States and the Counties, and there was representation on Justice Broderick's committee. He noted that there were many recommendations, but only three were of concern to the Counties. He referred the Board to page 11 of the material under recommendation B, and noted that this is potentially a win/win situation because the committee has recommended that parole and probation officers that work for the State have the ability to bring felon probationers to Court and have them serve a maximum of five days in the County Jail as a way to impact their frame of mind as well as get them back into the community in a shorter period of time. He explained that with the current situation, prisoners awaiting hearings spend as much as twelve months in the County Jail, so the change will be very positive for the Counties. He noted that another change will be to establish classifications of probationers and explained that some are low risk while others are high risk. This

change will mean that probation officers could manage probationers more efficiently because low risk probationers, for example, could be talked to on the phone while high risk probationers would be managed face-to-face; the focus of the probation and parole officers would be on the people with the highest risk of offending. Supt. O'Mara noted that this recommendation is based on a successful model out of Georgia that seems to be working well for both State and Counties, so the DOC will be monitoring this and will update the Board periodically.

Supt. O'Mara expressed his desire to publically recognize PEW, a company from Texas, and noted that it was extremely sensitive to the County's needs; they did not want to shift costs to the Counties, and they kept the Counties in the loop even though they were not required to do so. Comm. Clemons inquired about the next step, and how it might be adopted. Supt. O'Mara responded that the State has the authority to amend existing policies to allow them to incorporate the recommendations in their entirety, or in part. This committee will also make the recommendations to the Legislature for any necessary statutory changes; he explained that Senator Larsen served on the committee and would likely be the person to initiate suggested legislative changes and/or new laws. Comm. Clemons asked Supt. O'Mara if he anticipates this being completed by the end of the current Legislative Session; Supt. O'Mara responded that he did not see it changing that quickly, but he believes that the policy changes will be implemented as soon as possible, and the change will involve re-training of State parole and probation officers. He further explained that the development of the classification system can be taken from the Georgia model and can be done rather quickly.

On behalf of Mr. Moorehead, Mr. Lencki requested that the Board sign a resolution, which will honor Rita Goulet and members of the Guild who have served the Nursing Home for many, many years.

Comm. Holden inquired relative to having a Board meeting at the Nursing Home and presenting the resolution to Ms. Goulet in person. The Board agreed to schedule its next meeting at the Nursing Home. Mr. Wenger agreed to arrange that meeting and will work with Mr. Moorehead.

Ms. Robinson was recognized and informed the Board that her Department was able to get the registration fee waived for the two people who are attending the Prime for Life training; she noted that approximately \$800 per person is being waived as a result of help from the Merrimack County Fast Program.

Ms. Robinson informed the Board that she is considering attending the *Aging in America Annual Conference* and may request travel expense; there is a much lower rate if paid by January 31st, so she may have to request that a Telephone Poll be conducted if she decides to attend. She noted that the conference is scheduled from March 13th to 15th; there is a potential family commitment that may conflict. Comm. Clemons asked for online information relative to the conference; she responded that she will forward the link to him by e-mail.

Mr. Wenger referred to the Board meeting of March 11th and noted that Comm. Holden has a conflict with that date. After discussion, the Board agreed to re-schedule the meeting to its original date of Wednesday, March 10th even though Comm. Pappas will be unable to attend.

Mr. Wenger inquired if all three Commissioners would be attending the Board meeting on March 24th because there is a tentative plan to schedule grievances for that meeting. The Commissioners each reported that he/she would be able to attend that meeting.

Mr. Wenger suggested that since budget time is approaching, the Board may wish to discuss initial thoughts relative to the budget such as consideration of directions, parameters, and goals. The Board was in agreement that it would address the budget. Mr. Wenger noted that the County is presently in a much different budget situation than in the past. He explained that the County has a much tighter budget in this fiscal year, and while that makes it difficult and challenging at times, it has a very positive impact on the taxpayer.

Comm. Clemons offered that this is an issue that will likely be discussed at the Delegation and Executive Committee meetings, and offered that it would be wise for Mr. Wenger and the Board to be prepared to make comparisons between this year and the previous year and show the committees how much tighter the FY2010 budget is versus the FY2009 budget. Mr. Wenger noted that while a tight budget is a challenge from an administrator's perspective at times, it is very positive, and it has a good benefit for the taxpayer. He further noted that he is not suggesting that the County does not have the funds to get through the year, but is suggesting that it will be much harder if there is an issue to find the money to get it to the appropriate Department; an example would be the increases in Health Insurance.

Comm. Holden noted that there is a USDA meeting on February 3rd from 1:00 to 3:30 p.m. in Concord that she is planning to attend; the primary focus will be on accelerated job growth in rural New Hampshire. She noted that she was mentioning the meeting because of the new statute relative to a majority of Board members attending meetings.

Comm. Holden informed the Board that she has received a letter from Mr. Montgomery relative to the dissolution of the Guild at the Nursing Home; she noted that she will provide the other Commissioners with a copy of the letter. Comm. Clemons suggested that Mr. Montgomery be invited to the meeting when the Guild will be honored.

Comm. Holden also referred to an invitation to a YMCA function. Comm. Pappas noted that she will also attend.

Comm. Holden noted that she received a letter from the Department of Health and Human Services relative to Stakeholder Region 6, and noted that she would respond to the letter.

Mr. Wenger noted that the Community Mental Health Program is up and running; financial and program reports are due the following Friday. He noted that he was at the recent meeting and that he was impressed with how the Manchester and Nashua groups appear to be working together and with the support from the Court system and the two Mental Health Centers as well as the DOC.

Comm. Clemons inquired if Supt. O'Mara was able to find someone to attend the conference in Washington that was referenced at a prior meeting; Supt. O'Mara responded that there will be a staff person attending from the DOC.

8. Public Comments

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

9. Non-Public Session

Comm. Holden requested a Non-Public session with the Board consistent with RSA 91-A: 3 II (a) for a personnel issue. Supt. O'Mara requested a Non-Public session with the Board and Mr. Wenger consistent with RSA 91-A: 3 II (c) for a discussion relative to matters, which if discussed in public might likely affect the reputation of a person.

Motion: To meet in Non-Public session consistent with RSA 91-A:2 I (a) for a personnel issue, and then to meet along with Mr. Wenger, and Supt. O'Mara consistent with RSA 91-A:2 I (c) relative to an issue that could affect the reputation of a person. By Comm. Holden, second by Comm. Clemons. Holden-yes, Pappas-yes, Clemons-yes. Motion carried.

The Board moved into Non-Public Session at 10:44 a.m.

The Board of Commissioners met relative to a personnel issue.

The Board met with Supt. O'Mara and Mr. Wenger relative to an issue that could affect the reputation of a person.

The Board moved out of Non-Public Session at 11:05 a.m.

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

Comm. Pappas asked if there were motions to be made based on earlier discussions.

Motion: To seal the minutes of the Non-Public Session. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

10. Adjourn

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

The meeting adjourned at 11:07 a.m.

(Signed 2/10/2010)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date