

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**February 1, 2017**  
**Bouchard Building, Goffstown, NH**  
(Not Official until Approved by the Board and signed by the Clerk.)

**Present:** Comm. Pappas, Comm. Rowe, Comm. Bergeron, P. Coughlin, J. Hardy, D. Hogan, C. Beaulac, D. Boyd, D. Dionne, G. Fisher, C. Kirby, C. Maille, B. Moorehead, M. Montminy, D. Reidy, L. Valley, G. Wenger, C. Monier, M. Castonguay, and L. Stonner

**Also Present:** J. Maccarone

**CALL TO ORDER**

Comm. Pappas called the meeting to order at 10:09 a.m.

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

**NURSING HOME AFSCME GRIEVANCE # 0812**

Comm. Pappas addressed Grievance # 0812.

Mr. Wenger noted that the Board has been advised that the parties have resolved their grievance.

**ADMINISTRATIVE BUSINESS**

**Approval of Minutes**

**Motion:**

To approve the minutes of the Board of Commissioner's Special Meeting held on January 11, 2017.  
Motion by Comm. Rowe, second by Comm. Pappas. Motion carried.

Mr. Moorehead requested a change to the third paragraph down from the bold motion on page 5 to provide clarification:

*It would read: "Mr. Moorehead advised the Board that he has been appointed to a Subgroup 1 Committee, one of three subgroups to provide input back to the Senate Bill 553 Committee by the end of February. Subgroup 1 will be addressing covered services, potential eligibility and enrollment, finance and reimbursement and prior admissions."*

**Motion:**

To approve the minutes of the Board of Commissioner's Regular Meeting held on January 18, 2017, with the change requested by Mr. Moorehead.  
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

**Supplemental Payroll**

Comm. Pappas entertained motions to approve Supplemental Payroll, Regular Payroll, and Accounts Payable Registers.

**Motion:**

To approve the total Supplemental Payroll Registers in the following amounts for the following dates:

01/18/17	\$ 1,530.00
01/20/17	\$ 2,123.86
01/26/17	\$ 94.46
01/27/17	\$ 281.52
01/30/17	\$ 221.39
01/31/17	\$ 336.87

for a total of \$4,588.10, subject to review and audit.

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

**Motion:**

To approve a Regular Payroll Register dated January 26, 2017, in the amount of \$1,109,039.31, subject to review and audit.

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

**Accounts Payable**

**Motion:**

To approve the Accounts Payable Register dated January 18, 2017, in the amount of \$3,997,800.56, subject to review and audit.

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

**Sheriff's Extraditions**

**Motion:**

To approve the Sheriff's Extradition Vouchers for the following dates in the following amounts, noting that they have been previously reviewed by the County Attorney:

11-03-16	\$ 675.22
11-07-16	\$ 260.14
11-07-16	\$ 80.16
11-07-16	\$ 80.16
11-14-16	\$ 119.79
11-21-16	\$ 167.03
11-22-16	\$ 151.46
11-23-16	\$ 64.23
11-29-16	\$ 186.96
11-30-16	\$ 79.06
12-01-16	\$ 155.09
12-14-16	\$ 190.88
12-20-16	\$ 44.47

The total Extradition's Expense is \$2,254.65, subject to review and audit.

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

**Transfer # 2017-06 – County Attorney**

**Motion:**

To approve Transfer # 2017-06 for the County Attorney's Office to transfer the amount of \$20,000 from Salaries & Wages, line 7010 and to transfer a like amount to County Attorney-Consulting, line 4123-7230.

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

Attorney Hogan noted that there are funds in the Salaries & Wages line due to staff departure. Mr. Wenger noted that the salary-exempt issue is still pending; any action by the Board has been tabled at this time until a final ruling has occurred. Attorney Hogan noted that the Medical Referee line was budgeted in the current budget at approximately \$110,000, but he anticipates he may need to request a transfer due to the increase in the number of people passing.

Motion carried to approve Transfer # 2017-06.

### **Labor Relations/Chief Negotiator**

Mr. Wenger requested that the Labor Relations and Negotiator discussion be deferred until later in the meeting.

### **CIS Bid # 11-2017 – Purchase/Support of 32 Nursing Home Kiosks**

Mr. Wenger noted that CIS Bid # 11-2017 is for the purchase and support of 32 Kiosks for the Nursing Home. He added that these will replace items that are at the end of their life and are no longer being supported. He noted that CareWorx is the lowest responsible bidder meeting the specifications and the recommendation is that the bid be awarded to CareWorx for \$41,920. There is also a recommendation for the purchase of CareWorx Connect, which is an augmented support package that is not a part of the bid, but was offered to the County at a price of \$2,304 and it includes an enhanced warranty on the kiosks. In response to a question from Comm. Bergeron, Mr. Wenger noted that it is not necessary for the Board to approve the support package because it is less than the \$5,000 amount that requires bid approval.

#### **Motion:**

To approve bid number CIS-11 -2017 for the purchase and support of 32 Kiosks for the Nursing Home; the lowest responsible bidder meeting the specifications is CareWorx, Inc. at a total price of \$41,920. 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.

### **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 January 17, 2017, the total in custody was 400. The Census included 315 men; 103 of the men had been sentenced and 212 were being held pre-trial. There were 85 women; 30 of the women had been sentenced and 55 were being held pre-trial. Supt. Dionne noted that the DOC has 9 in the community.

Supt. Dionne stated that the DOC was holding 24 female inmates from Rockingham County, and he added that 167 individuals were diverted through the Mental Health Courts including 99 from Manchester and 68 from Nashua.

#### **Overtime Impact Report**

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

Discussion ensued regarding the DOC's wage and overtime lines and why they are budgeted as they are. Supt. Dionne noted that during exit interviews, employees who are leaving indicate that the main reason for leaving employment with the DOC is that the wage is lower than many other opportunities in the community. He noted that mandated overtime, due to a shortage of Correctional Officers, contributes to burn out. Mr. Wenger noted that burnout from both a personal and medical standpoint is a significant driver of insurance premiums as it contributes to insurance costs and the effects go beyond just salary and wages.

## **NURSING HOME**

### **Census**

Mr. Moorehead provided Census information for the Nursing Home. He noted that the Census, as of January 26, 2017 was 284; it included 209 Medicaid residents, 42 private pay residents and 33 Medicare, Part A residents. He added that the Census and the quality mix remain strong.

Mr. Moorehead requested Board authorization for him to sign a contract and addendum with LNA Health Careers that will provide the clinical part of an LNA course that will be based at the Nursing Home. He added that a follow-up addendum will also include MNA's (Medication Nursing Assistants) and provide classes for them. Attorney Kirby noted that she has reviewed the contract and added that it includes indemnifications and provides provisions for Mr. Moorehead to terminate the contract.

#### **Motion:**

To approve the LNH Health Careers Contract and the MNA addendum and to authorize Mr. Moorehead to sign on behalf of the County.

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

Mr. Moorehead requested that the Board authorize him to sign the Omnicare contract that was awarded on December 19, 2016; he added that the agreement has been approved and reviewed and he is seeking authorization to enter into that contract.

#### **Motion:**

To approve the Omnicare Contract dated December 19, 2016, and to authorize Mr. Moorehead to sign on behalf of the County.

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

## **SHERIFF'S DEPARTMENT**

### **Bid # SO-2017-GF – 2017 Ford Vehicle**

Chief Deputy Fisher presented bid # SO-2017-07GF. Chief Fisher explained that the bid request is for a 2017 Ford Utility vehicle; the vehicle will replace a vehicle that was purchased out of the Drug Asset Forfeiture fund; it was in an accident in May, 2015 and was a total loss. He explained that Drug Asset Forfeiture funds were frozen at that time; the funds received from the insurance company were returned to the Drug Asset Forfeiture line to be held until additional funds were available; the funds are now available to replace the vehicle.

#### **Motion:**

To approve Bid # SO-2017-07GF for the Sheriff's Department in the amount of \$28,486 with a request to waive competitive bidding subject to RSA 28:8-e V, noting that it is State bid.

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

## **OLD/NEW BUSINESS**

### **NH Association of Counties**

Mr. Wenger noted that he forwarded the list of nominees to Mr. White on behalf of the Board. Mr. White's response was that the County/State Finance Committee is made up of six Commissioners; he added that the Board may wish to be prepared to nominate a person if Mr. Moorehead cannot sit on the committee.

Comm. Bergeron informed the Board that he participated in the last two weekly legislative teleconferences and found it to be both interesting and informative. He added that one of the subjects was the part time employment addressed by Supt. Dionne at a recent meeting. Supt. Dionne noted that he has been asked to testify at the Sub Committees for the three bills relative to the overtime issue. He added that he also testified, on behalf of the NHAC Superintendents' Affiliate. Discussion ensued regarding potential changes to the pending bills, particularly those that relate to those employees who retire and are re-hired on a part-time basis by the same employer.

Mr. Wenger noted that there is an outstanding bill from the Association for assessments, but not for dues. He noted that in response to the Board's request to get more information, he followed up with Mr. White but the County has received no information. He added that it is his belief that the County will have to pay the bill, but added that no reason has been given for the assessments. Supt. Dionne noted that at the last meeting of the Superintendents' affiliate, Mr. White indicated that he did not know what the assessment would be because he was trying to waive Hillsborough County's and Cheshire County's increase of \$1,000 to the assessment because both Counties do not participate in the NHAC Correctional Officer Academy. Mr. Wenger responded that the 2016 assessments owed by each County include: \$3,500 for the Nursing Home, \$3,000 for Department of Corrections and \$400 for the Conference. It was noted that it would be appropriate to ask questions regarding the NHAC budget and there was a consensus that information should be readily available but things appear to be disorganized. There was also a question as to whether there is a surplus and how it should affect the budget. Supt. Dionne noted that the cost of certification of Corrections Officers will be increasing from \$500 to \$750, and it appears that the Association has no records of certifications. Mr. Wenger noted that any action taken by the Association should be done in the form of a motion.

### **Bail Discussion**

Comm. Rowe noted that he wished to look at how bail is set and the policy concerning bail. He noted that it is his belief that any inmates pending trial that are a threat to the public should not be released on cash bail, but any who are not a threat should be eligible for being released on personal recognizance, or with ankle bracelets.

Discussion ensued related to an inmate who was eligible for cash bail but could not raise the money for bail. Attorney Hogan noted that the inmate in question was arrested three times for possession of a controlled drug over a period of two months; the cases were being handled by the Circuit Court and the Police department, so it never came to the County's Superior Court. He added that traditionally, bail is set based on a person's danger to the community or whether the person is considered a flight risk; he noted that in this instance, the individual can be considered to be a danger to the community when he violated again for the third time as well as being a danger to himself. Attorney Hogan explained that in his department, the case was considered for early case resolution and bail was set. Attorney Hogan noted that the County Attorney's office would not ask for bail if it was deemed that the individual would return and was not a danger to the community. He added that he does not have control over the Circuit Court, but can make recommendations.

Supt. Dionne noted that all inmates are different as are the Courts. He added that, in his opinion, for bail of less than \$1,000, the bondsmen may not be interested in arranging bail, and the inmates will likely remain in jail, but for those whose bail is greater than \$1,000, the bondsmen most likely will respond. He added that there are situations where an inmate is held on \$200 bail, but may cost the DOC hundreds or thousands of dollars if the inmate is pregnant, ill or needs hospital care. He added that the low bail does not make sense and it is cheaper to release the inmate. He explained that in the aforementioned case, he believes that the family had reached the

point where it could no longer support the individual.

Chief Deputy Fisher explained that bail is not normally set by law enforcement agencies; they can make a recommendation to a Bail Commissioner and it is ultimately the Bail Commissioners or Judges who make the decision regarding bail.

Chief Deputy Fisher added that his recommendations would include:

- Is he a flight risk?
- Does he have defaults on his record for failing to appear?
- What are his ties to NH?
- What other criminal charges has he had?

Chief Deputy Fisher reiterated that the Bail Commissioner sets a recommended bail. The case will be heard within 24 hours and it is the Judge who makes the final decision.

Comm. Rowe noted that he favors minimum cash bail on minor offenses. In response to a question, Attorney Hogan noted that his office uses the same criteria as that outlined by the Chief Deputy Fisher in recommending bail.

Comm. Pappas asked Mr. Wenger to come forward to join the Commissioners; she thanked him for more than fifteen years of service to the County and wished him luck with his new opportunity. Mr. Wenger noted that he appreciates the recognition and added that he has learned a great deal during his years with the County and added that originally, it was outside of his realm of experience. He noted that he greatly appreciates the support of the Board and those present who have worked with him. He added that those sitting in the room truly have a belief and love of County government; he complimented those present and added that it is his belief that it is an amazing administrative operation.

The Board took a break at 11:16 a.m. to join Mr. Wenger for cake and refreshments

The meeting resumed at 11:52 a.m.

## **COUNTY ADMINISTRATOR RECRUITMENT**

### **Carl Weber, Primex – Director of Member Services**

Mr. Wenger introduced Carl Weber who will assist with the recruitment process

Mr. Weber explained that by virtue of Hillsborough County being a member in the insurance pool, it is entitled to assistance with the recruitment process in finding a new County Administrator and added that the process helps the County manage its risk in making this management decision. He added that Primex will assist with the process and work with the governing Board of Commissioners as well as providing guidance during the process.

Mr. Weber explained that the focal points that will support the County's process include:

- Preparation;
- Selection;
- Transition

Mr. Weber provided detail about the facilitated session and the behavioral tool that the County can use as well as helping to facilitate the transition. Discussion ensued about the details of the process as well as potential advertising for the position. It was noted that there is no cost for the process because Hillsborough County is a long-term member of Primex's program and it allows Primex to assist the County in risk management.

Mr. Wenger noted that this would be a valuable tool for the Board; it gives the Board a process for setting goals, time frames and making a decision.

The Board agreed to meet with Mr. Weber the following Friday, February 11<sup>th</sup> at 10:00 a.m.

Mr. Weber noted that going forward; he will communicate with D. Boyd, Human Resources. He excused himself and left the meeting.

#### FY 18 Budget Process

Mr. Wenger reviewed the Budget Instruction Booklet and a timetable of budget submissions. The Board discussed meeting dates and the following timeline was reviewed:

- Friday, March 3<sup>rd</sup> – Draft Salary Spreadsheets will be distributed to the departments.
- Friday, March 3<sup>rd</sup> – Budget Instructions & Manual distributed to the departments and elected offices
- Thursday, March 9<sup>th</sup>.
  - New Position Request Forms are due,
  - Computer Equipment Requests and technology requests are due,
  - Salary Spreadsheet Changes & corrections delivered to the COAF.
- Wednesday, March 15<sup>th</sup> Board of Commissioners will hold a joint meeting inviting all department heads, elected officials & Delegation Officers to discuss the FY 18 budget process, budget parameters, department issues and common objectives.
- Wednesday March 17<sup>th</sup> – Positions on the Salary Spreadsheets will be set as of the close of COAF business on that date.
- Friday, March 24<sup>th</sup> – Departments' and elected officials' itemized budget recommendations are due to the BOAC.
- Friday, March 31<sup>st</sup> – Budget Books will be distributed on or before March 31<sup>st</sup>.
- April 5, April 6 and April 7 – the Board will meet with the departments & elected officials individually to consider budget requests.
- April 10<sup>th</sup> through April 14<sup>th</sup> – BOC continues review of budget requests, holds work session and gives final consideration to input from departments and elected officials. BOC will adopt a budget recommendation, which is shall deliver to the Executive Committee and Delegation.
- April 26<sup>th</sup> – the Board will hold its Public Hearing to be followed by a regular Board meeting
- May 8<sup>th</sup> – BOC finalizes budget recommendation delivers the final budget to the Delegation (prior to May 10<sup>th</sup> deadline).

Mr. Wenger suggested that the Board coordinate the posting of all meetings and correspondence through the Commissioners' Office of Administration and Finance (COAF). It was noted that all correspondence to/from/between Commissioners is considered to be public information.

Mr. Wenger recommended that the County departments that will be affected by Felonies First meet with Judge Nadeau including the County Attorney, Sheriff and Supt. Dionne. Supt. Dionne agreed to coordinate a meeting.

The Board agreed to hold its preliminary budget meetings at 9:00 a.m. on April 5, April 6 and April 7.

Mr. Wenger addressed the FY 2016 Audit and noted that there was a clean audit. He added that the auditors were asked to look for further issues and responded that time cards should be addressed, particularly as it relates to accurate time cards and shift differentials.

Mr. Moorehead inquired if there would be an interim administrator. Mr. Wenger noted that during the budget process, Ms. French will address payroll and salary sheets issues, but all other issues would go through Mr. Monier.

Mr. Wenger noted that new positions will initially go through CIS, then proceed to the COAF Deputy Administrator, the HR Manager and lastly to the COAF Finance Director.

Mr. Wenger explained the YMCA Community Development Block Grant (CDBG) and noted that it is a grant for a new Youth Development Center at the YMCA; it is a Federal project that is pending final approval and should be completed by fall. Ms. French has been designated as the individual to sign for claims for funds.

**Motion:**

To appoint Ms. French as the individual authorized to sign claims.  
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

In response to a question from Comm. Bergeron, Mr. Wenger explained CDBG grants and noted that every year there is a designated amount of money that the County can apply for as County projects. He added that the YMCA grant is the third that the County has participated in by partnering with an agency such as the YMCA; prior to that there was a project in Manchester. He noted that the County has not sought out the grants; it has been approached by outside entities for their projects. He added that some of the entities that the County has partnered with have had their own grant writers who can administer or oversee grants, and in the case of the YMCA Grant, Donna Lane was hired to administer the grant.

Mr. Moorehead informed the Board that the Nursing Home began experiencing a GI bug on unit A-1; they have notified the Department of Health who recommended that the unit be quarantined until the results of the lab tests are received from the Department of Health and the bug is identified.

Mr. Moorehead informed the Board that he received a resignation from one of the facility's primary physicians.

Mr. Moorehead provided an update to the year-to-date revenue to include the second quarter MQIP revenue; the second quarter revenue, with the addition of the second quarter MQIP, results in a positive variance of \$33,333 through December 31, 2016.

Mr. Monier requested Board approval to authorize the Chair to sign two service contracts; one of the contracts is for the bid approved on December 29<sup>th</sup> for cleaning at the Bouchard Building awarded to R&W Cleaners; the other is for a bid awarded on January 4<sup>th</sup> for the cleaning, maintenance and snow removal at Temple Street awarded to S.J. Services, Inc.

**Motion:**

To authorize the Chair to sign the two service contracts, as requested by Mr. Monier.  
Motion by Comm. Rowe, second by Comm. Bergeron. Motion carried.

Mrs. Castonguay informed those present that there will be a Budget Orientation meeting on March 24<sup>th</sup> immediately following the Executive Committee meeting. The February Executive Committee meeting will be held on February 24<sup>th</sup>.

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

**NON-PUBLIC SESSION**

**Motion:**

To move into the following Non-Public Sessions:

- Non-Public RSA 91-A: 3 II (e) relative to pending litigation
- Non-Public RSA 91-A:3 II (c) regarding a matter which, if discussed in public would affect the reputation of a person.
- Non Public RSA 91-A:3 II (a) relative to a personnel issue

Motion by Comm. Rowe, second by Comm. Bergeron. Rowe-yes. Bergeron-yes, Pappas yes. Motion carried.

The Board moved into Non-Public Session at 12:56 a.m.

The Board met with Attorney Kirby, Sheriff Hardy, Mr. Moorehead, Supt. Dionne and Mr. Wenger relative to collective bargaining and pending litigation. No action was taken by the Board.

The Board met with Attorney Kirby, Supt. Dionne and Mr. Wenger regarding a matter which, if discussed in public would affect the reputation of a person. No action was taken by the Board.

The Board met with Mr. Wenger regarding a personnel matter in the COAF. No action was taken by the Board.

The Board moved out of Non-Public Session at 1:55 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.

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

Mr. Wenger noted that the bid responses for the Benefits Consultant are due February 21<sup>st</sup>. He also requested Board approval of the bid for a Chief Negotiator.

**Motion:**

To approve the bid for Elizabeth A. Bailey, Esq., Sheehan, and Finney as the County's Chief Negotiator in the amount of \$200/hour.

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

**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. Bergeron, second by Comm. Pappas.

The Board of Commissioners Meeting adjourned at 1:53 p.m.

*Approved February 15, 2017*

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

\_\_\_\_\_  
Date