

Regular Meeting of the
Hillsborough County Board of Commissioners
February 6, 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. Pappas, Comm. Holden, Comm. Ziehm, P. Coughlin, J. Hardy, P. LaFrance, C. Connelly, D. Dionne, C. Kirby, B. Moorehead, D. Reidy, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner.

Call to Order

Comm. Pappas called the meeting to order at 10:03 a.m.

Pledge to the Flag

Mr. Wenger led the Pledge of Allegiance.

Administrative Business

Approval of Payroll Registers

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

January 31, 2013	\$	792.40
January 31, 2013		2,447.36
February 1, 2013		1,820.39

for a total of \$5,060.15, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To approve a Regular Payroll dated January 31, 2013, in the amount of \$1,075,862.74, 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 February 6, 2013, in the amount of \$3,816,861.67, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

CIS Bid # 10-2013 - Nursing Home Kronos Annual Software Support

Mr. Wenger explained that Bid # 10-2013 is for Kronos Annual Software Support for the Nursing Home.

Motion: To approve Bid # 10-2013 is for Kronos Annual Software Support for the Nursing Home, and to award the bid to Kronos, Boston, MA at a price of \$7,320.95, it is single source bidder consistent with RSA 28:8-eV. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Public Comment on Agenda Items

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

Department of Corrections

Census

Supt. Dionne presented the Department of Correction's Census. He noted as of January 30, 2013, the total in custody was 518; he explained that there were 419 men, including 148 that had been sentenced and 271 that were being held pre-trial; there were 99 women; 41 of the women had been sentenced and 58 were being held pre-trial. He informed the Board that 160 individuals were diverted through the Mental Health Courts; he added the DOC is holding 27 females from Rockingham County. Supt. Dionne further added that there are also 23 inmates serving their sentence in the community on work release and day reporting.

Overtime Impact Report

Supt. Dionne provided an Overtime Impact Report for the Board and the permanent record.

Nursing Home

Bid # 5-2013 – Disposable Vinyl Gloves

Motion: To approve Bid # 5-2013 for Disposable Vinyl Gloves for the Nursing Home to Central Paper Products, Manchester, NH, at a price of \$2.60/box and \$22.60/case, noting that it is the lowest responsible bidder meeting the specifications. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

7. Registry of Deeds

Register Coughlin provided the Board with an update relative to revenue at the Registry of Deeds. Comm. Pappas noted that all categories are up; Register Coughlin added that the Registry is busy.

Register Coughlin requested an opportunity to meet with the Board in Non-Public Session; following discussion it was agreed that the Board will first meet with Register Coughlin and Attorney Kirby to consult with Counsel.

Comm. Pappas recognized Sheriff Hardy and County Attorney LaFrance.

Attorney LaFrance informed the Board that John Harding, an attorney who formerly worked for the County Attorney's office, has returned to the office as of the previous Friday; he has assumed the majority of the County Attorney's case load.

Attorney LaFrance informed the Board that she was in Concord the previous day; she testified against a bill that would weaken the Domestic Violence laws, and also attended the e-Court Public Hearing at the Administrative Office of the Courts. She explained that Judge Dalianis and the Administrative Office of the Courts are moving toward having everything that is filed with the Courts be filed electronically. She added that they are starting with small claims. She noted that Chief Justice Dalianis indicated that electronic filing is going to be mandatory with the Courts; it is a project they have been working on and they are starting with small claims. She added that it is going to be mandatory and everyone will be required to get the software needed to file electronically. Attorney LaFrance noted that the County has the largest number of cases and will be left behind if it does not acquire the appropriate software, namely Carpal. She added that she is still looking into it to see what her office can do to get the software or become compatible and to be able to communicate with the Court. She explained that Judge Dalianis indicated that it going to be mandatory that everyone comply.

Comm. Ziehm inquired about a law relative to un-funded mandates and asked if it applied in this case. Attorney Kirby replied that there is a Constitutional amendment that addresses un-funded mandates by the Legislature;

however, it may exercise its rule-making authority in order to require compliance. Comm. Ziehm asked if there was anything the County could do. Attorney Kirby responded that the County can prepare for it. Comm. Holden asked if there are any protocols in place to go with this possible rule-making authority that would indicate what they are requiring and how much it would cost the County. Attorney LaFrance added that it is her belief that the reason they are starting out with small claims is because they did not get the funding that they expected, therefore, they could not implement it all at once. She added that the small claims filing would generally involve litigants as opposed to the County Attorney's Office.

Mr. Wenger explained that there is a difference between video arraignment, e-Court and Carpal, and noted that Carpal goes well beyond e-Court. He added that the County will need to evaluate what it can afford to be involved in as it moves forward. Attorney LaFrance responded that she will do all the research and see what her office can do with little or no money expended. Mr. Wenger explained that the County has a centralized technology department and the County is all networked; he added that the Department of Corrections is looking to go paperless; and now the County Attorney is looking to do everything herself and he would ask that the Office of Administration & Finance be involved before any department delves deeply into a project. He noted that the last time Carpal was discussed, the former County Attorney had come forward saying that it would not cost anything because there was a grant; he added that when his department became involved and reviewed the project, he learned that the cost would be at least 3 times the grant amount. He requested that his office become actively involved because ultimately it will end up with the CIS Department having the responsibility to maintain the program, do the upgrades, and keep it up and running. Comm. Holden added that perhaps the County Commissioners should also be kept in the loop because of the impacts. Attorney LaFrance added that she was in agreement with the need for communication and having everyone involved so that a solution can be reached that is hopefully not cost prohibitive.

Census

Mr. Moorehead presented the Nursing Home Census, reporting that the Census as of January 17th, is 276, which includes 195 Medicaid residents, 42 Private Pay residents and 39 Medicare Part A and/or managed care residents; he added that while the Census is lower than budget, the quality mix is quite strong, and those numbers typically offset the lower census.

Mr. Reidy distributed flyers for the NH Farm & Forest Exposition, noting that it will be held the following Friday and Saturday at the Center of NH. He added that it is the 30th Anniversary of the program that UNH Cooperative Extension does in conjunction with the NH Department of Agriculture and the NH Division of Forests & Lands.

8. Old/New Business

NH Association of Counties

Mr. Wenger informed the Board that as a follow-up to the previous Friday's NHAC meeting, there is a vacancy on the NHAC board of officers; it is an at-large position to fill a retirement; the term will end in October, at which time, there will be a new election. Comm. Pappas noted that one cannot move up to an officer slot from this position and the person can only serve 2 terms. Mr. Wenger explained that there are 7 Board positions; they are: President, Vice-President, Clerk, Treasurer, 2 at large positions and the Past President. He added that Comm. Pappas presently sits as the Past President. Mr. Wenger further explained that the vacancy will leave 1 representative from Carroll County, 1 from Merrimack County, 1 from Coos County, 2 from Rockingham County and Comm. Pappas from Hillsborough County. He added that there will be a vote at the next Executive Committee meeting and noted that Comm. Pappas' term will end in October. Comm. Pappas added that it is likely that there will be 2 slots open in the fall. Comm. Holden noted that she would volunteer to fill the empty slot. The Board discussed the opening and concluded that in light of there being interest on the part of Deb Shackett, County Administrator from Belknap County, to run for the position, the Board decided not to put forward a candidate at this time, but is very interested in putting forward a candidate from Hillsborough County to fill an opening in October so that the County is represented. Mr. Wenger

added that he is in agreement with the need to have Hillsborough County represented on the NHAC board to maintain a balance.

Budget Discussion

Mr. Wenger requested input from the Commissioners relative to the budget process and asked that dates be determined for the budget meetings with the individual Departments between April 8th and April 26th. Discussion ensued relative to the salary spread sheets; it was agreed that there will be a date set for the spread sheets with changes made by the Departments from that date.

Sheriff Hardy informed the Board that he ran into difficulty last year with a funded position that was listed as vacant because of the deadline for the salary spread sheets. He explained that the hiring process in his department is lengthy; he added that because the position was listed as vacant, he had to struggle to have the money put back in the budget at the Sub Committee and Executive Committee review, even though the position was filled between the date the budget was submitted to the Commissioners and the time he met with the Sub Committee and Executive Committees. He asked if there was a way to address the issue.

Mr. Wenger discussed vacant positions with the Board and explained that during the previous budget cycle, a vacant position that was expected to be filled prior to the end of the fiscal year was fully budgeted at its current rate; however, vacant positions that the departments were not pursuing and did not intend to fill, but wanted to maintain, were funded at \$1; he added that both were indicated on the salary sheets as "vacant." Mr. Wenger added that the issue could likely be resolved by using a different term, such as "pending" or "to be named" or other term for those positions that will be filled. The Commissioners agreed to continue to have positions that will not be filled shown as vacant and budgeted at \$1.

Following discussion relative to new or expanded positions, the Board agreed that requests for new positions will not be in the budget but will be required to come to the Commissioners, who in turn will determine whether or not they want to add them to their recommendation. Comm. Holden added that the new positions would also have to be approved by the Executive Committee and the Delegation.

Mr. Wenger explained that there will be a new form that departments will have to complete relative to grants, whether they are old or new grants; this procedure will meet the auditor's requirements.

Mr. Wenger explained that it is his intention to present the budgets to the departments online this year to avoid the cost of the notebooks used in the past.

The Board discussed its meeting schedule and set the following additional dates for budget meetings with the understanding that the later meetings may be cancelled if they are not needed to complete the Board's budget:

- 9:00 a.m., Tuesday, April 9, 2013
- 9:00 a.m., Wednesday, April 10, 2013
- 9:00 a.m., Thursday, April 11, 2013
- 9:00 a.m., Tuesday, April 16, 2013
- 9:00 a.m., Friday, April 18, 2013
- 9:00 a.m., Monday, April 22, 2013
- 9:00 a.m., Wednesday, April 24, 2013
- Friday, April 26, 2013 after the Executive Committee meeting, if necessary

Mr. Wenger distributed a Budget Analysis sheet that covered Fiscal Years 2003 through 2013. He noted that the Undesignated Fund Balance was anticipated to be at approximately 12 million dollars at the start of the current fiscal year and approximately 8.5 million dollars at the end of the fiscal year, as budgeted. He added that if the County were to use another 3.5 million to balance the next budget, that would leave the County at approximately 5 million

dollars and with only 1 more year where it would be possible to use the Undesignated Fund to balance the budget. He explained that the “big ticket” items include an increase in Retirement expense that will cost the County approximately \$120,000, and a Health Insurance increase that is already anticipated to increase 10.48% increase. He observed that based on those increases and the County’s current expenses; there will be an increase in expenses of approximately \$700,000. He added that there is about \$645,000 in the current year’s revenues that will not be in the next budget. Additionally, the \$900,000 that the Executive Committee approved cutting from the employee lines was not taken out of the budget and the County has been making ends meet as the year progressed. These items result in a reduction of approximately 2.385 million in lost revenue or added expenses before even starting the budget process.

Mr. Wenger informed those present that the average increase in taxes over the last 10 years was .9%.

Discussion ensued relative to the Board’s approach to the budget presentation for the Delegation Orientation. There was a general agreement that the presentations should focus on each department’s operations, and educate people as to what they do and why they do it before focusing on numbers.

Mr. Wenger added that the other issues that will impact cost are technology, building upkeep and equipment as well as contracts that are pending.

Mrs. Castonguay indicated that the Delegation Orientation is scheduled for Friday, February 15th at 9:00 a.m.; each department will be allotted 15 minutes for its presentation. She added that she will distribute the Agenda once it has been completed. The Board discussed the Commissioner’s presentation; Comm. Holden will distribute information that explains the role and responsibilities of the County Commissioners.

The Board discussed its approach to the budget. Comm. Holden recommended looking at page 3 of the handout from the last meeting and suggested that the Board look at:

- strategic goals,
- operational goals
- and the integration of strategic and operational planning.

She added that the key questions for the departments to consider in their budget presentations included:

- staffing,
- training,
- equipment,
- facilities, and
- consumables.

She added that a dashboard approach was discussed at the last Board meeting; for example, a green light would mean everything is great with staffing, a yellow light would indicate caution, and a red light would indicate that the department has real concerns in a given area. Comm. Pappas added that she likes the idea. Comm. Holden added that it is her belief that there are things the Board should approach in a different manner.

Mr. Wenger added that the County’s approach to budgeting and its operations changed 2 years ago in the middle of the budget process. He added that this approach gives the Commissioners the opportunity to say, “This is the way we are approaching our budget.” There was discussion relative to the fact that it is the Commissioners job to deliver a budget recommendation that supports the services necessary to run County government. Mr. Wenger added that it is not reasonable to ask for more and more services with less and less money to get the work done; an example would be to expect the Department of Correction’s insurance costs go down if there are less and less Correctional Officers to oversee safety in that facility. He further added that it is not realistic to expect the Nursing Home to continue to break even, continue to deliver the excellent services and continue to increase the revenue streams with less and less staff to do that.

Comm. Pappas added that the Board has the opportunity present a budget that illustrates how it plans to manage the County and provide services for its constituents. Comm. Holden added that the documentation from the 3 study groups (Operations, Expenses & Revenue) provide an outline for the direction the Board could follow. Mr. Wenger noted that last year a comment was made that the Department Heads will make it work, and they have done that, but there is a point when if the County continues to follow that direction, it will be facing many issues-legal and other concerns. Attorney Kirby responded that departments all have valid concerns.

Mr. Moorehead informed the Board that both he and the Superintendent will be facing issues with increases in food expenses at their facilities.

Mr. Moorehead noted that if anything changes such as ProShare or Medicaid reimbursement would impact the budget. He added that the unknown concerns him, and noted that there was a discussion the previous Friday at the NHAC meeting relative to the State implementation of Managed Care for Medicaid; he added that he is not sure what how that will affect the Nursing Home's reimbursement...it is unknown. He added that the managed care issue is on hold with hospitals filing suits relative to the bed tax issue. In response to a question from Comm. Pappas, Mr. Moorehead explained that none of the hospitals have signed up for the program. He further added that there is a concept being considered with CMS relative to bundled payment; which is another unknown in terms of reimbursement and referrals.

Mr. Wenger explained that the numbers he provided do not include any wage adjustments for any employee, so any adjustments will also affect the budget; he added that the majority of the County employees have not had a wage adjustment in over 2 years. Comm. Ziehm observed that she is impressed and is appreciative of the commitment and professionalism shown by the Department Heads.

Comm. Holden noted that the Board should consider the County Administrator's performance review, noting that it is overdue.

Mr. Wenger informed the Board that the first meeting with the Chemical Worker's bargaining unit is scheduled for Thursday, February 21st; Comm. Holden will attend. He added that Tom Noonan, who represented the Teamster's Union, retired the previous week; the County is waiting for meeting dates from his replacement. He added that he is waiting for a response from the Sheriff's Office bargaining unit for dates to meet, and there was a vote by the Department of Correction's AFSCME group, but he has not received formal notice that it has been approved. Mr. Wenger noted that the Nursing Home AFSCME unit has a meeting scheduled for the coming week.

Public Comment

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

Motion: To move into recess to consult with Legal Counsel consistent with RSA 91-A:2 I (b). Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The Board moved into recess at 11:24 a.m.

The Board moved out of recess at 12:06 p.m.

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

Comm. Pappas entertained a motion.

Motion: To direct Mr. Moorehead to refer a matter involving a resident collection issue to the County Attorney. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger informed the Board that the 2 Energy Grant projects at the Nursing Home and Department of Corrections have been completed; the County has received \$625,000; the only thing remaining to be done is the final paper work.

Mr. Wenger indicated that he has resubmitted information relative to the Transportation Grant and is waiting to hear that it is closed out. He added that he will be bringing forward a series of items to be addressed relative to the Manchester CDBG Grant and noted that the Governor & Council has approved it and the project is nearly complete.

Mr. Wenger added that the County is in the last 3 quarters of the Mental Health Grant.

Comm. Holden Suggested that the Board hold its March 13th meeting at Temple Street; the Board concurred and the meeting will begin at 9:00 a.m. Mr. Wenger suggested that the Board may wish to hold some of its budget meetings at the Nursing Home and Department of Corrections.

Adjourn

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

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

The meeting adjourned at 12:10 p.m.

Approved 3/14/2013

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date