

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**February 6, 2014**  
Bouchard Building, Goffstown, NH  
Minutes of the Public Session  
**(Not Official until Approved by the Board and signed by the Clerk.)**

**Present:** Comm. Pappas, Comm. Holden, Comm. Ziehm, P. Coughlin, P. LaFrance, D. Dionne, B. Moorehead, C. Kirby, M. Castonguay, G. Wenger and L. Stonner

**Call to Order**

Comm. Pappas called the meeting to order at 10:06 a.m. Register Coughlin led the Pledge of Allegiance.

**Administrative Business**

Approval of Payroll Registers

**Motion:** To approve Miscellaneous Payroll registers on the following dates in the following amounts:

- January 23, 2014           \$1,004.05
- January 28, 2014           396.00
- January 31, 2014           231.91

for a total of \$1,631.96, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

**Motion:** To approve a Regular Payroll register dated January 30, 2014 in the amount of \$1,103,638.05, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Approval of Accounts Payable Register

**Motion:** To approve an Accounts Payable register dated February 4, 2014, in the amount of \$4,388,024.02, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Sheriff's Extraditions

**Motion:** To approve Sheriff's Extraditions on the following dates in the following amounts:

- December 2, 2013       \$330.32
- December 5, 2013       90.77
- December 13, 2013      180.29
- December 16, 2013      64.84
- December 23, 2013      449.55
- Dec. 26 to 27, 2013    1,312.27
- January 17, 2014        112.69
- January 20, 2014        320.63

for a total of \$2,861.36, noting that they have been previously approved by the County Attorney. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

## **Public Comment on Agenda items**

There was no one present who wished to comment on Agenda items.

## **Department of Corrections**

### Census

Supt. Dionne presented the Department of Correction's census. He noted that as of January 28<sup>th</sup> the total in custody was 566; it included 429 men; 171 had been sentenced and 258 were awaiting trial; there were 127 women in custody; 45 had been sentenced and 82 were awaiting trial. The DOC had 7 inmates in the Pre-Trial Supervision Program and 23 in the Community in the day-reporting programs. Supt. Dionne reported that the facility also is holding 48 female inmates from Rockingham County, and there are 138 individuals in the diversionary Mental Health program; 56 are from Manchester and 82 are from Nashua.

### Overtime Impact Report

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

Comm. Holden congratulated Supt. Dionne in relation to the letter he received from Grafton County for having helped with their Superintendent search. She added that it will be placed in his personnel file.

## **Nursing Home**

### Census

Mr. Moorehead reported that the Census at the Nursing Home as of January 30, 2014 was 284 residents; there were 219 Medicaid residents, 34 Private Pay residents and 31 Medicare or managed care residents.

## **Registry of Deeds**

### December Revenue Update.

### Revenue Update

Register Coughlin provided a Revenue Update and informed the Board that January revenue is similar to previous months; Tax Stamps continue to be up, but Recording and Copy Fees are down.

## **Old/New Business**

County Attorney LaFrance informed the Board that she has heard from the State Police that the investigation relative to Fern Ornelas will be turned over to the County Attorney's office today. She explained that she was in contact with the Attorney General the previous week, adding that the AG's office and her office will be reviewing the investigatory report. Attorney Kirby informed the Board that the County was put on notice by Mr. Ornelas' Legal Counsel that they intend to proceed with litigation against the County. The Board discussed what an appropriate response might be if contacted by the press; it was agreed that the Commissioners would consult with Counsel before making any response.

Attorney LaFrance informed the Board that the Hillsborough County Child Advocacy Center (CAC) Gala is scheduled for May 10<sup>th</sup>; she noted that she will be happy to send the Commissioners invitations should they wish to attend. She explained that the Child Advocacy Center is where all the County's child victims are

interviewed and added that she serves on their Board of the Granite State Children's Alliance, which oversees all the Child Advocacy Centers in the State. She added that the event will be held at the Crowne Plaza in Nashua.

Attorney LaFrance informed the Board that she received notification of retirement from Catherine McNaughton, Director of Victim & Witness Services, who is retiring on March 21<sup>st</sup> and who has been with the County Attorney's office since 1986. Attorney Kirby offered that she was one of the first people to start a victim's witness program in New Hampshire and has trained most of the County's present victim witness advocates. Attorney LaFrance noted that she will be seeking a replacement internally first because there are good candidates in her department who have been with the County for nearly as long as Ms. McNaughton.

Attorney LaFrance informed the Board that she negotiated a plea relative to the Biggs Café, the internet café case that was a gambling operation running in Nashua; as part of the plea, approximately \$50,000 was seized from bank accounts and from the establishment itself. She added that she worked out an agreement with Nashua PD that the County would receive \$25,000. Attorney LaFrance noted that the operation was running under the premise that they were giving money to "Homes for our Troops," but they only donated \$2,000. As part of the plea, they donated \$10,000 to "Homes for our Troops" and they were fined \$50,000, \$30,000 of which was suspended; the remaining \$20,000 will go into the State Account. Seized items included computers and monitors, some sports memorabilia and other items. The Nashua Police Department received 38 computers and monitors; they indicated that if they do not use all the computers, they will give them to the County.

Mr. Wenger informed the Board the Board that he has the close-out documents for the Manchester Community Center CDBG grant; he requested that the Board authorize the Chair to execute the documents.

**Motion:** To authorize the Chair to execute the CDBG Grant close-out Certification and Documentation. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Comm. Pappas noted that the Director of the Manchester Community Center would be happy to conduct a tour for the Commissioners if they are interested.

Mr. Wenger noted that he has tentatively scheduled a tour of the Women's Prison for March 19<sup>th</sup>. The Board confirmed that March 19<sup>th</sup> would work for them; they will convene the meeting and then walk over to the Prison.

Mr. Wenger advised the Board that he has the a Professional Service Agreement and Assurance Plan relative to the Time Clock Time & Attendance system that was approved at a recent meeting and requested that Board authorize him to execute the agreements.

**Motion:** To authorize the County Administrator to execute the Professional Service Agreement and Assurance Plan relative to the Time Clock Plus Time and Attendance System that was approved at a recent meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger reported that he recently spoke with Judge Brown from the Administrative Office of the Courts (AOC) relative to starting a Drug Court; initially it will be in Hillsborough County North. He added that they are looking to apply for a grant through the AOC; they would like to meet with the Board regarding the Drug Court and to discuss the Board's support. He added that Judge Brown would be overseeing the Drug Court in Hillsborough County North, and Judge Colburn would be overseeing the Drug Court in Hillsborough County South. He noted that one or both of the aforementioned Judges would like to meet with the Board and perhaps Judge Nadeau would also attend. Mr. Wenger agreed to make the arrangements.

Attorney LaFrance indicated that the Drug Court was stalled because of funding and noted that the County Attorney's office fully supports the Drug Court for drug users, not dealers.

Mr. Wenger informed the Board that he has prepared 2 motions for the Board's approval regarding the protest petition related to the Zoning Ward Warrant Article in Goffstown and asked the Board to approve 2 motions that would be necessary to execute the petition. He explained that the first would be a motion to file the petition and the second would be a motion to authorize the Chair to execute the petition on behalf of the Board. He noted that a consideration might be whether the Board wished to get more people to sign it, adding that the County owns the majority of the District and has sufficient land to meet the percentage requirements outlined in the Statute for a petition. He added that the petition must be submitted to the Selectmen 7 – 10 days prior to the election.

**Motion:** To file a Protest Petition pursuant to RSA 675:5 in response to Amendment No. 14 as proposed by petition by registered voters of the Town of Goffstown to amend the Zoning Ordinance so as to change the County's property to the Commercial Zone. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

**Motion:** To authorize the Chairman to sign the Protest Petition on behalf of the Board of Commissioners in its capacity as the stewards of the County's properties, RSA 28:4. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger referred the Board to their copy of a letter received by the Superintendent today from the Teamster's Group requesting that the County meet with them relative to a collective bargaining agreement. Mr. Wenger will follow up with the Teamster's Group representative relative to setting a date to meet.

Mr. Wenger informed the Board that there are issues at the Department of Corrections with the camera surveillance equipment; he explained that a portion of the system is old and not able to work with current technology; some of the system is in failure and should be addressed because it is important to have and maintain this equipment and have the ability to keep the records that the system would provide. He explained that there is funding available in the CIS New Software line because the Time Clock system came in significantly below the budgeted amount. He added that a purchase to update the system would include a combination of software and hardware upgrades, further adding that the bid would be a Sole Source bid so that the DOC can avoid the issue of incompatibility; all recent security for the County has been done by Pelmac Industries and it would be the recommended vendor. He explained that it is an important issue that should be addressed at this time, noting that unless the Board has an issue, he would like to proceed with a bid for the next Board Meeting so that the Superintendent will not have to shut the system down, so that the facility is fully covered, and to avoid liability for the County. The Board agreed that he should proceed. Attorney LaFrance asked about the retention period for tapes. Supt. Dionne explained that it is covered by Policy and is outlined in the Inmate Handbook. He added that a grievance must be filed within 15 days of an incident; then it is kept for 30 days. If there is an incident, they would preserve the data on a CD.

Supt. Dionne reported that he spoke with Judge Kelly regarding Video Arraignments and noted that Judge Kelly wishes to set up a tour that will include other Judges and Clerks at the Hillsborough County Department of Corrections (DOC) so that they can see the video conferencing operation. He added that they will be piloting the program with Nashua District Court. Supt. Dionne noted that Judge Kelly is interested in whether the DOC can handle the Manchester and Nashua Courts at the same time. Supt. Dionne responded that he has two rooms set aside, but he would like to start with the Nashua Court and then add the Manchester Court. Judge Kelly offered his thanks to the DOC, the Commissioners, Mr. Wenger and Sheriff Hardy for their efforts to make Video Conferencing with the Courts a possibility. Supt. Dionne noted that the DOC is waiting for training.

Supt. Dionne informed the Board that they received the body scanner today, as did Strafford and Rockingham Counties; he will be setting it up and conducting training over the next couple months.

Mr. Moorehead reported that as a follow up to the last meeting, all the units have been cleared of the gastrointestinal bug; two cases are still being monitored on one unit, but all units are now open for admission.

Mr. Moorehead shared an email with the Board from Dr. Batlivala in which Dr. Batlivala proposed setting up a comprehensive bone and osteoporosis clinic for the Nursing Home and added that the program will be run by a Physician's Assistant that is under Dr. Batlivala's employ. If approved, it would be done in-house and would limit transportation to outside facilities. Those who are found to be at risk would be treated with oral medication and subcutaneous injections, all of which would be done by a physician's order. Osteoporosis is an issue with CMS (Center for Medicare/Medicaid Services). The program should reduce fractures at no cost or very little cost to the County. Most medications would be reimbursed by Medicare Part D or would be billed to the Private Pay residents directly. The Board supported the establishment of the program.

Mr. Wenger noted that Cooperative Extension has requested an opportunity to meet with the Board and will attend the next meeting.

Mr. Moorehead informed the Board that he will be presenting a request that the Board write off an amount of bad debt at its next meeting; he added that this is typically done annually and is budgeted every year.

#### **Public Comment on Agenda Items**

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

The Board agreed to meet with the Department Heads in Non-Public Session at its next meeting relative to Administrator evaluations to finalize the process.

**Motion:** To move into Non-Public Session consistent with RSA 91-A 3 II (a) to address personnel issues. Motion by Comm. Holden, second by Comm. Ziehm. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public Session at 2:55 p.m.

The Board met as a group.

The Board returned to its regular meeting at 3:26 p.m.

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

Lacking further business, Comm. Pappas adjourned the meeting.

The meeting adjourned at 3:28 p.m.

*Approved 2/19/2014*

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Comm. Sandra Ziehm, Clerk  
Hillsborough County Board of Commissioners

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Date