

Regular Meeting of the
Hillsborough County Board of Commissioners
February 8, 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. C. Holden, Comm. Pappas, P. Coughlin, J. Hardy, D. Hogan, D. Dionne, C. Kirby, B. Moorehead, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

1. Call to Order

Comm. Ziehm called the meeting to order at 10:02 a.m.

2. Pledge to the Flag

E. Robinson led the Pledge of Allegiance.

3. Administrative Business

Approval of Minutes – November 30, 2011

Motion: To approve the minutes of the November 30, 2011 Board of Commissioner's Regular meeting. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Approval of Payroll & Accounts Payable Registers

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

- January 27, 2012 in the amount of \$445.60
- January 26, 2012 in the amount of \$360.00
- January 31, 2012 in the amount of \$759.50
- February 2, 2012 in the amount of \$513.16
- February 2, 2012 in the amount of \$1,280.00

for a total miscellaneous Payroll of \$3,358.26, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion: To approve the regular Payroll Register dated February 2, 2012 in the amount of \$1,092,380.98, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion: To approve the following Accounts Payable Registers in the following amounts:

- January 27, 2012 in the amount of \$805.00
- January 30, 2012 in the amount of \$725,352.71
- February 7, 2012 in the amount of \$2,388,303.94

for a total Accounts Payable for \$3,114,461.65, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

4. Public Comment on Agenda Items

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

5. Department of Corrections

Census

Supt. Dionne presented the Department of Correction's Census. He noted that the Census as of January 31, 2012, was 533; he explained that the Census included 473 men, of whom 320 were pre-trial and 153 that were sentenced; there were 60 women, of whom 38 were pre-trial and 22 that had been sentenced. There were 10 in the community and 1 in the hospital.

Female Prisoner Agreement

Supt. Dionne requested that the Board approve the Female Prisoner Housing Agreement between Hillsborough County and Rockingham County; he explained that Legal Counsel and Primex have reviewed the agreement.

Motion: To approve the Female Prisoner Housing Agreement and to authorize the Chair to execute the agreement. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Emergency Repair Authorization (Commercial Clothes Dryer)

Supt. Dionne informed that Board that it was necessary for an emergency repair to be made that he had previously discussed with the Commissioners; he explained that a related Transfer was approved by the Board and Executive Committee a couple weeks prior; he noted that today he is providing written documentation for the record.

7. Registry of Deeds

Revenue Update

Register Coughlin provided Revenue information for January. She distributed Revenue sheets and informed the Board that January, 2012 was down from January, 2011; she added that Tax Stamp revenue is up slightly. In response to a question from Comm. Ziehm, Register Coughlin noted that she anticipates meeting budget for the current year.

6. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census; he reported that the Census as of February 2, 2012, was 275, which included 194 Medicaid residents, 42 Private Pay residents, and 39 Medicare residents. He added that the numbers remain a bit on the low side because of recent discharges.

Bid # 18-2012 – Dining Room Tables

Mr. Moorehead explained that Bid # 18-2012 is for tables for 2 of the Dining Rooms at the Nursing Home; the lowest responsible bidder of 4 who responded is Joerns Healthcare, Charlotte, NC, at a unit cost of \$560.28 and a total cost of \$3,361.68.

Motion: To approve Bid # 18-2012 for Dining Room tables for 2 of the Dining Rooms at the Nursing Home; the lowest responsible bidder is Joerns Healthcare, Charlotte, NC; the bid is for 6 tables at a unit cost of \$560.28 and a total cost of \$3,361.68. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Martin's Point Contract

Mr. Moorehead presented information regarding a contract with Martin's Point Health Care, Inc. He noted that they are offering a Medicare Advantage HMO/PPO that pays 100% of Medicare rates at the time of service. He added that the contract would become effective January, 2013. Mr. Moorehead noted that Martin's Point wants providers under contract by February 21, 2012 in order to meet that deadline. He explained that this plan is a basic Medicare plan that is managed by Martin's Point Health Care, Inc. He added that to the best of his knowledge, the Nursing Home will be the only facility in Hillsborough County that will be under contract with this particular HMO, which is a good thing. He explained that the plan has a lower out-of-pocket than many companies offer for those covered under the plan; Legal Counsel has reviewed the contract and her suggestions have been incorporated into the contract.

Comm. Holden asked to see a copy of the Contract. Mr. Moorehead distributed copies of the contract to the Board; he noted that the contract is fairly similar to the existing contract and added that Elliot Hospital, CMC and St. Joseph's Hospital provide most of the referrals. Comm. Holden inquired if the Nursing Home looked at other plans. Mr. Moorehead responded that they also looked at Harvard Pilgrim and Medicare Advantage. In response to a question from Comm. Ziehm, Mr. Moorehead explained that the managed care piece of the contract looks at the services the beneficiaries receive on a frequent basis to make certain their needs are met.

There was discussion relative to the admission process. Mr. Moorehead explained that most admissions come from one of the hospitals; however, he advised that when the Commissioners receive a request to help a constituent with admission, they could refer the person to Judy Stacy, who can help with the admission process, assess the person's needs and determine if the person qualifies for admission to the Nursing Home.

Motion: To approve the contract between the Nursing Home and Martin's Point Health Care, Inc. for the Medicare Advantage Plan. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion: To authorize the Chair to sign the contract between the Nursing Home and Martin's Point Health Care, Inc. for the Medicare Advantage Plan. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Sheriff's Office

Bid #2012-11-05 – Sheriff's Office-Vehicle Emergency Equipment

Sheriff Hardy informed the Board that the Bid Specs were not met for Bid #2012-11-05 so he recommended that the Board reject the bid at this time.

Motion: To reject Bid #2012-11-05 for the Sheriff's Office, for the installation of vehicle emergency equipment, noting that the criteria was not met and it will be re-bid. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

7. Old/New Business

Joseph D. Vaughan Award Nomination

Comm. Pappas indicated that she received an email regarding the Joseph D. Vaughan award; she wondered if there were any volunteers that the Department Heads wished to submit. Discussion ensued with possible names that could be submitted. The award nomination is for individuals or couples over 60 who have demonstrated outstanding leadership or meritorious achievement as a volunteer on behalf New Hampshire's older citizens. Nominations are due by March 16th.

Commissioner Communications

Mr. Wenger brought forward an issue that occurred in one of the Counties with respect to a Board of Selectmen who were communicating inappropriately via email in a manner that was determined to be "improper meetings;" he noted that he wished to bring the issue to the Board's attention so that the elected officials could avoid those type of communications. Comm. Holden noted that she has received emails that had been circulated to all the State Reps and many other people, further noting that it is important to be cautious with messages, particularly when forwarding email.

Comm. Pappas asked if it would be a violation if a Commissioner communicates by email to her fellow Commissioners relative to an issue they are not taking a vote on. An example would be an email to them regarding a piece of legislation that they were going to be testifying on. Mr. Wenger noted that he could not give a legal opinion, but added that his personal opinion is that if it was regarding Board business or items over which the Board has authority, he would avoid it because an argument could later be made that a Commissioner was corresponding about Board issues and Board concerns. He noted that many of the issues simply have to do with appearances and he personally would be very cautious in communications; he added that he would see it appropriate to communicate things related to social events, news of a death, etc. He advised that for a legal opinion, the Board could speak with the County's Legal Counsel.

Comm. Ziehm inquired regarding the status of the Policy & Procedure Manual. Mr. Wenger noted that other issues have taken priority.

Supt. Dionne informed that Board that Dr. Masewic, the physician at the DOC, has given notice that he wishes to discontinue his contract with the facility effective the end of February. Supt. Dionne noted that he has agreed to stay on until a replacement is found and added that he has contracted a couple other vendors and will be sending out bid requests. He explained that the contract runs from August to August, but similar to other County contracts, it contains a 30-day out clause. Supt. Dionne added that there is a great deal of liability for the physicians and insurance is very costly.

Supt. Dionne informed those present that Gail Barry's House Bill 1496 is scheduled to be heard the following day; he added that both former Superintendent O'Mara and he will testify. He explained that this relates to Officer training costs. There was discussion about the hearing related to moving the Superior Court at the State level that the Commissioners might attend.

Mr. Wenger explained that it is his understanding Sen. White's bill would require that an insurance pool return any surplus premium at the end of a year back to the members of the pool. He added that at the current time, any surplus is used to stabilize rates over a period of time, but if there is not enough money in the pool, they can come back to the members for more premium. He added that if the surplus is returned, it will be an absolute nightmare because there are so many different plans in the County that offer varying benefits so calculating the returns would be nearly impossible.

Mr. Wenger explained that if money were returned to the County, calculating who would get the money would require looking at several different groups of individuals with different plans for over 400 individuals that might be entitled to a reimbursement. The Board discussed who might be available to testify relative to the bill and the importance of having a representative from the County present.

Comm. Holden noted that April, 2012 is National County Government month; the theme this year is Healthy Counties/Healthy Families.

Comm. Pappas indicated that the NHAC Breakfast is scheduled for April 18th at the Primex Building in Concord; Comm. Burton is the host.

Mr. Wenger informed the Board that the DOC Teamsters will meet on March 13th and 28th at 9:00 a.m. and the County Attorney's AFSCME group will meet on the same dates at 10:30 a.m.

Mr. Wenger informed the Board that he has received an inquiry from CGI Communications, Inc. He noted that it is a premier corporate member of NACo; they have offered to do a video presentation for the County. They have worked with other Counties and Cities to develop videos that highlight the County and describe its characteristics; it is basically a marketing tool. He indicated that they represent that it is cost-free; at this point they are requesting an opportunity to do a conference call with the Board to highlight the opportunity. The Board indicated that they would like to get more information.

The Board reviewed the draft budget timeline; it will meet with the Executive Committee at its next regular meeting to have a discussion relative to the budget and to the Commissioner's letter.

The Board discussed its meeting schedule for the budget process. The Commissioners agreed to meet on Friday, February 24th immediately following the next Executive Committee meeting. Mr. Wenger noted that the Board will get its Budget Books on April 4th, and meetings with Departments would appropriately take place between April 4th and April 14th followed by the Board's Public Hearing at 10:00 a.m. on May 2nd. The Board concurred and Mr. Wenger will develop the Budget Schedule.

Following a request for direction from Mr. Wenger relative to the budget and the Executive Committee meeting, the Board discussed the direction it will follow. The Commissioners discussed their interpretation of the Executive Committee's meeting and its expectations.

Mr. Wenger informed the Board that a meeting was held the previous Friday with representatives from the State and those Departments that would be involved with the Video Conferencing project. He added that they were presented with information that addressed their questions. He explained that the purpose of the meeting was to determine the obligations of the County so there could be an understanding of the costs; he added that he is convinced that the final impact of the project will not be understood until it has been in effect for awhile. Mr. Wenger communicated that there will be cost concerns for the Department of Corrections; he anticipates that there will be savings for the Sheriff's Office. He added that the State has agreed to be responsible for a 5-year maintenance plan. Mr. Wenger explained that Attorney Kirby is reviewing the contract and once the agreement is ready, it will be presented to the Board.

Sheriff Hardy indicated that his Department favors the project both from an operational and a safety perspective, and he anticipates savings. Sheriff Hardy added that anytime a violent offender is kept behind bars, that is an important safety consideration. The Sheriff added that until the project is operational and has been up and running for several months, the costs, benefits and issues will not be

known. He commented that while everyone favors the project, there are a number of things that need to fall in place to address the issues so that there is an understanding of what might be expected and he can appropriately address the issues that arise during the budget process.

Mr. Wenger concurred with the Sheriff's position and added that it is his belief that the only way there can be reasonable numbers is to operate the project for a period of time leading up to next year's budget; currently, the most feasible option is to implement it for 1-year and reassess it at the next budget cycle.

Mr. Wenger requested that the Board give consideration to upgrading the County's email and provide authority for changing the County's domain name to hcnh.org. He added that the existing email could still be used, but this change will give the County an easier, more practical email address going forward.

Motion: To approve the domain name hcnh.org. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

8. Non-Public Session

Mr. Wenger requested an opportunity to meet with the Board in Non-Public session along with Supt. Dionne and Ms. Robinson consistent with RSA 91-A:3 II (a) relative to personnel.

Supt Dionne requested an opportunity to meet with the Board in Non-Public session consistent with RSA 91-A:3 II (a) relative to personnel.

The County Attorney requested an opportunity to meet with the Board consistent with RSA 91-A:3 II (a) relative to personnel.

There was a request to meet with the Board consistent with RSA 91-A:2 I (b) relative to negotiations.

Motion: To move into Non-Public Session with the following people relative to the following issues:

- To meet with Mr. Wenger, Attorney Hogan, Supt. Dionne, Attorney Kirby, and Sheriff Hardy consistent with RSA 91-A:2 I (b) relative to negotiations.
- To meet with Attorney Hogan and Attorney Kirby consistent with RSA 91-A:3 II (a) relative to a personnel issue at the County Attorney's office.
- To meet with Mr. Wenger, Supt. Dionne, Ms. Robinson, Attorney Kirby consistent with RSA 91-A:3 II (a) relative to personnel for the Business Office, the Department of Corrections and Human Services.
- To meet with Supt. Dionne and Attorney Kirby consistent with RSA 91-A:3 II (a) relative to personnel.

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

The Board moved into Non-Public Sessions at 11:10 a.m.

The Board met with:

- Mr. Wenger, Attorney Hogan, Supt. Dionne, Attorney Kirby, and Sheriff Hardy relative to negotiations.
- Attorney Hogan and Attorney Kirby relative to a personnel issue at the County Attorney's office.

- Mr. Wenger, Supt. Dionne, Ms. Robinson, and Attorney Kirby relative to personnel related to the Business Office, the Department of Corrections and Human Services.
- Supt. Dionne and Attorney Kirby relative to personnel at the Department of Corrections.

The Board moved out of Non-Public session at 1:17 p.m.

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

Comm. Ziehm inquired if the Board had any further business to address.

Comm. Holden explained that in the Department of Corrections, the Chief of Security has additional responsibilities due to reorganization in the Department, and to the elimination of a Captain's position who had the responsibility of compliance with the Standards and Compliance Policies that have been borne by the Captain's position. She added that with the increased responsibility related to Chief of Security, she would like to make a motion related to that change.

Motion: To move position #800142003 from a Grade 14 to a Grade 15 under the terms discussed. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Adjourn

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

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

The meeting adjourned at 1:19 p.m.

Approved on 5/2/2012

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

Date