

Regular Meeting of the
Hillsborough County Board of Commissioners
February 19, 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, D. Reidy, M. Rioux, E. Robinson, M. Castonguay, G. Wenger and L. Stonner

Also Present: Kim La Valley from UNH Cooperative Extension

Call to Order

Comm. Pappas called the meeting to order at 10:02 a.m. Ms. Robinson led the Pledge of Allegiance.

Comm. Pappas requested a moment of silence in memory of Mr. Wenger's father, Paul Wenger who passed recently.

NH AFSCME CBA Execution

Mr. Wenger noted that the County had anticipated that the representatives from the AFSCME Nursing Group would attend this meeting to execute their contract; he added that he will follow up with them and schedule it for the next meeting.

Cooperative Extension

Mr. Reidy introduced Mr. Kim La Valley, who is the Cooperative Extension's Assistant Director of Programs.

Mr. La Valley expressed appreciation for the County's continuing support for Cooperative Extension and the types of work they do. He added that in his role, he works with the County Cooperative Extension Administrators and offered his support to the Board. He added that Cooperative Extension went through a significant change a couple years ago due to a loss in State funding; he added that the focus changed to offer a regional approach to programming where in Hillsborough County; it would have educators that were not housed in this County. He added that in this County there are several staff members that have offices here, but there are now educators from the different sources and resources. He had that there were over 128,000 contacts from this County that participated in the programs that they offered, and noted that there were 45 Field Specialists that people in this County were in touch with. He distributed a copy of "*Hillsborough County Highlights, Bringing the University to You,*" and addressed the four program areas; they include: Community & Economic Development, Natural Resources, Food & Agriculture, and Youth & Family, noting that these represent many of the areas that Hillsborough County residents participated in.

Attorney LaFrance asked Mr. La Valley if there might be an opportunity for some of the convicted felons to volunteer for community service programs. Mr. La Valley responded that he will be happy to discuss possibilities with Attorney LaFrance for potential possibilities in some of their non-youth programs.

Administrative Business

Minutes

Motion: To approve the minutes of the Hillsborough County Board of Commissioners meeting held on January 22, 2014. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Motion: To approve the minutes of the Hillsborough County Board of Commissioners meeting held on February 6, 2014. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Approval of Payroll Registers

Motion: To approve a Miscellaneous Payroll register dated February 14, 2014, in the amount of \$863.14. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Motion: To approve a Regular Payroll register dated February 13, 2014 in the amount of \$1,107,352.52, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Approval of Accounts Payable Register

Motion: To approve two Accounts Payable registers; one is dated February 7, 2014, in the amount of \$1,654,432.55 and a second is dated February 19, 2014, in the amount of \$1,149,397.64 for a total of \$2,803,830.19; both are subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Transfer # 2014-08 – Nursing Home

Motion: To approve Transfer # 2014-08 for the Nursing Home to transfer the amount of \$25,000 from Rehab Salaries & Wages, line 4421-7010, and to transfer a like amount to Rehab, Other Fees and Outside Services, line 4421-7290. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Transfer # 2014-09 – Department of Corrections

Motion: To approve Transfer # 2014-09 for the Department of Corrections to transfer the following amounts from the following lines:

- \$30,000 from Salaries & Wages, line 4230-7010
- \$20,000 from Pharmacy, line 4230-7330
- \$10,000 from Gas Heat/Cooking, line 4230-7620

and then to transfer the amount of \$60,000 to Overtime, line 4230-7011. Motion by Comm. Holden, second by Comm. Ziehm. 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 February 14th, the total in custody was 562 it included 443 men; 178 of the men had been sentenced and 265 were awaiting trial; there were 119 women in custody; 55 had been sentenced and 64 were awaiting trial. The DOC had 5 inmates in the Pre-Trial Supervision Program and 22 in the Community in the day-reporting programs.

Supt. Dionne reported that the Department of Corrections also is holding 38 female inmates from Rockingham County, and there are 137 individuals in the diversionary Mental Health program; 55 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.

Supt. Dionne requested approval of the transfer of an Inmate from Merrimack County due to there being a co-defendant in the same facility with a serious related charge.

Motion: To approve the transfer of an Inmate from Merrimack County to Hillsborough County due to there being a conflict with a co-defendant in the same facility. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

50th Academy Certification

Supt. Dionne reported on the recent Correctional Officer Graduation Ceremony and thanked Commissioners Pappas and Ziehm for attending the graduation.

Comm. Holden read the certificate for the record as follows:

Hillsborough County New Hampshire Commissioner's Certification Board

Having successfully completed the requirements pursuant to the Hillsborough County Department of Corrections, Correctional Officer Certification Policy (A-129), and set forth by the Hillsborough County, New Hampshire Commissioner's Certification Board, this Certificate Affirms the following graduates of the 50th Hillsborough County Department of Corrections' Training Academy as Certified Correctional Officers:

<i>Keith R. Abbott</i>	<i>Jonathan M. O'Keefe</i>
<i>Mary M. Andreo</i>	<i>Lawrence Phillips, Jr.</i>
<i>Mason S. Cote</i>	<i>Crystal M. Rayman</i>
<i>Erica E. Coulombe</i>	<i>Mark W. Sullivan</i>
<i>Scott M. Fitzpatrick</i>	<i>Matthew K. Sweet</i>
<i>Jared B. Martell</i>	<i>Henry E. Torres</i>

*In witness whereof the signatures are hereunto affixed on the 10th day of February in the year 2014.
Toni Pappas, Sandra Ziehm, Carol Holden.*

Motion: Comm. Holden moved to approve the certificate and to have the Commissioners sign it. Comm. Ziehm seconded the motion. Motion carried.

Nursing Home

Census

Mr. Moorehead reported that the Census at the Nursing Home as of February 13, 2014 was 283 residents; there were 217 Medicaid residents, 35 Private Pay residents and 30 Medicare or managed care residents. Mr. Moorehead indicated that the census numbers continue to be very positive.

January 2014 Revenue

Mr. Moorehead reported that the budgeted revenue for Room & Board and ancillaries for the month of January was \$1,843,742 while the actual was \$1,917,367, which resulted in a positive variance of \$73,625. He explained that this is very positive for the Nursing Home.

Year-to-Date Revenue

Mr. Moorehead explained that the Year-to-Date Room & Board and Ancillary budget was \$12,906,194 while the actual was \$13,282,055; which resulted in a positive variance of \$375,861 through the month of January. He added that the year-to-date budgeted Bed Tax is \$1,600,000 while the actual received for the two quarters was \$1,828,265; which resulted in a positive variance of \$228,265; the result of the 2 equals a total variance year-to-date of \$604,126 over budget on the Revenue side of the budget. He explained that some of the variance can be attributed to the increase in the Medicaid rate that the facility received in January, but added that he anticipates that it might decrease in July.

Mr. Moorehead explained that the \$139,205.39 Bed Tax revenue payment that was received in November may be re-assigned by the auditors to FY Fiscal 2013 because it represented an adjustment for that year, in which case it would be pulled out of FY 2014.

\$1.00 Position – Activities Department

Mr. Moorehead requested Board approval to fill a position in the Activities Department that was budgeted at \$1.00 for a full-time employee. He explained that the goal is to increase the continuity on the floors by assigning permanent full-time employees to a unit and have the part-time and per diem employees floating between units as needed. He added that the Activities Budget will not be negatively affected by bringing this employee on as a full-time employee. He explained that the position # is 3001112007.

Motion: To approve filling position # 3001112007 in the Activities Department that is currently budgeted at \$1. Motion by Comm. Ziehm, second by Comm. Holden.

Comm. Holden asked about the number of volunteers that are active in the Activities Department. Mr. Moorehead noted that he will get the information for the Commissioner.

Motion carried.

Bid # 11-2014 – Pharmacy Services

Mr. Moorehead presented Bid # 11-2014 for Pharmacy Services; he noted that they received 3 bid responses, and the lowest overall responsible bidder is Omnicare of NH.

Motion: To approve Bid # 11-2014, which is a re-bid for Pharmacy Services; the lowest responsible bidder is Omnicare of NH; for Legend (Rx); the Brand WAC is -1% and the Generic AWP for is -72%; the Consulting Fee is \$6.40 per resident. The Non-Legend (OTC) for Brand WAC is +5% and the Generic AWP is -70%. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Moorehead explained that WAC is “Wholesale Acquisition Cost;” AWP is “Average Wholesale Price.” He added that while the Consulting is a bit higher for Omnicare, the prices it is quoting for Generic and Brand will more than offset that over the cost of the year.

2013 Accounts Receivable Write-off

Mr. Wenger explained that the request for the write-off is done at the request of the Auditors; he requested that the Board take formal action so that the County no longer has to account for unpaid receivables; these are funds that they do not anticipate recouping; however, if they are recovered, the funds will not impact the Audit. Mr. Moorehead explained that the total write-off for the year is \$249,999.49. He added that any later collections will be a reduction to the write-off amount. He further added that the Auditors typically book about \$250,000 per year.

Comm. Holden thanked Mr. Moorehead, the Nursing Home Business Office staff and Attorney Kirby for their success in reducing the amount of funds to be written off.

Motion: To approve the Nursing Home write-offs \$249,999.49 dated February 14th. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Old/New Business

Supt. Dionne noted that it is the time of the year when the Board typically approves the annual Female Prisoner Housing Agreement between Hillsborough County and Rockingham County. He noted that they are finalizing the wording and requested that the rate continue to be \$57.50 per day so that the DOC can be competitive with the other Counties.

Motion: To approve the rate of \$57.50 per day as the rate for the Female Prisoner Housing Agreement. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Supt. Dionne informed the Board that Video Arraignment is moving forward; he will meet with Judge Leary from the Nashua District Court today with staff members and perhaps a few Judges. He invited the Sheriff, Attorney Kirby and Mr. Wenger to attend.

Supt. Dionne informed the Board that the Administrative Office of the Courts will be coming in the following day to conduct video arraignment training. A pilot program will begin with the Nashua District Court.

County Attorney LaFrance informed the Board that she will be meeting with the Attorney General the following Friday related to the Ornelas investigation.

County Attorney LaFrance informed the Board that the Court granted her motion to release the property related to the recent gambling case in Nashua; the County should be receiving a check in the near future.

Register Coughlin informed the Board that the Registries are working with the NH Association of Counties to change or kill a bill related to the State Representatives attempts to change the law to make Registries

responsible for determining which documents are fraudulent. She added that the Registers do not feel that they are qualified to make those determinations and supports having the Attorney General's office manage them.

Register Coughlin informed the Board that the Registry has received 3 large Commercial Tax Stamps during February.

Public Comment on Agenda Items

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

FY 2015 Budget Schedule/Parameters

Mr. Wenger explained that this is typically the time of year when the Board meets with Departments to determine what to expect in their budgets and to develop the Budget Schedule and Budget Instructions. The Board held a discussion and agreed to follow a schedule similar to the previous year. The Board's instructions will go out the following week; the next week new position requests would be due, and the week after that, technology and computer request would be due.

Following discussion, the Board agreed to hold informal discussions with the Departments at upcoming regular meetings. Mr. Wenger noted that last year's final budget increased 3.67%; the amount to be raised by taxes increased by 4.77%.

Ms. Robinson communicated that the Counties received a \$2,000,000 increase in the Cap passed down from the State level, which represents a significant portion of the increase in last year's budget. She added that another increase from the State level is anticipated to be \$3,000,000 this year; it would be an increase that the County could not control and could contribute to a significant increase to the next budget. The Board agreed to finalize its budget schedule at its next meeting.

The Board agreed to invite Peggy Danis to attend its next meeting.

In response to a question from Mr. Moorehead, Mr. Wenger responded that it is his understanding that part-time 30-hour positions will need to be looked at relative to Obamacare requirements. The change will be effective January, 2015, but because the County's fiscal year ends in the middle of the calendar year, it would not be effective for Hillsborough County until July, 2015. He added that he will verify the effective date.

The Board agreed to meet with the Department Heads in Non-Public Session to finalize the Administrator evaluations

Non-Public Session

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

The Board moved into Non-Public Session at 11:14 a.m.

The Board met as a group.

The Board met as with Mr. Moorehead.

The Board met as with Supt. Dionne.

The Board met as with Mr. Wenger.

The Board returned to its regular meeting at 11:55 a.m.

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

Mr. Wenger observed that there was discussion at the last NHAC meeting relative to Primex coverage for Commissioners and added that there is a related meeting the following Friday. He asked if the Board has issues with coverage for Commissioners in their personal capacity, noting that there are issues in other Counties. Discussion ensued relative to coverage. The Commissioners will give consideration to the issue and the potential liability.

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 12:05 p.m.

Approved March 6, 2014

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date