

Regular Meeting of the
Hillsborough County Board of Commissioners
February 22, 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, R. Burns, P. Coughlin, J. Hardy, D. Hogan, M. Castonguay, C. Conley, D. Dionne, C. Kirby, B. Moorehead, D. Reidy, E. Robinson, G. Wenger, and L. Stonner

Also Present: Representatives from Community Connections, Manchester Mental Center of Greater Manchester and the Greater Nashua Mental Health Center

Call to Order

Comm. Ziehm called the meeting to order at 9:00 a.m. She welcomed S. Stearns from Community Connections and other guests.

Pledge to the Flag

Attorney Kirby led the Pledge of Allegiance.

Community Connections

Ms. Stearns introduced C. Varney, who has joined the Community Connections Mental Health Court Expansion Project Coalition. Ms. Stearns provided information and data regarding the savings to the County Corrections facility through the Mental Health Court program. She explained that the project expansion was funded under the auspices of a grant awarded to the County in 2009 that ended in September, 2011.

Ms. Stearns provided program statistics relative to the effect that the Mental Health Courts and other diversion programs have had on the County. She provided a copy of the Council of Justice Center's newsletter that features Hillsborough County and noted that the Justice Center continues to refer to the project in Hillsborough County as a model.

Ms. Stearns provided history of the progression of the program and current statistics. She provided data that outlined the following positive results:

	2010	2011
# Unique Individuals referred to Program	235	309
Total Jail Days Saved Deferred, Suspended and Days Out on Bail	12,178	28,436
Average # Bed Days Saved/Individual	51	92
Actual Medications Cost Saved	\$ 65,041	\$ 141,106

Ms. Stearns indicated that the number of Jail Days Saved is based on the sentence that the unique individual would have normally served if sent to the prison; medication costs are based on actual costs.

Ms. Stearns noted that the Community Connections Program is close to capacity so she does not expect the same large growth in another year, yet the numbers should remain consistent.

Ms. Stearns explained that 54 individuals graduated in 2011 following completion of the one-year program. A visitor provided first-hand experience of what a positive impact the program has had on a family member who has a mental health issue and has been non-compliant with his meds. She added that the Mental Health Court provided a wonderful program and knowledge of the Court system for the family member and allowed him to remain in the community. She added that the program helped him be compliant, gave him hope, and helped him graduate from the program. She noted that this was the first time he completed something that made him feel good about himself. She spoke highly about the program and the positive effect it had on her family member.

Ms. Stearns noted that the program provides a one-year program and added that many of the individuals continue to stay connected with the local Mental Health systems after graduation, and while some are not reached, many choose to continue treatment with their local Mental Health system.

Mr. Wenger asked if the capacity is related to there being no more individuals that need the help or is it because of the caseload. Ms. Stearns responded that the capacity is related to the caseload that the 2 Court Liaisons can handle.

Mr. Wenger added that the County's commitment to the program in its FY 2012 budget is \$75,000 plus an additional \$25,000 from the last quarter of the 2-year grant. He added that the investment for the County is \$100,000 for a conservative savings of \$400,000 based on the statistics provided for the cost of inmate days at the DOC and the saved cost in medications. He added that the grant is complete at this point and he is hopeful that the program will be sustained in the FY 2013 budget.

There was a discussion of closing a unit at the DOC. Mr. Dionne added that he constantly gives this consideration, but it has not been an option to date. He noted that the Mental Health project has had a positive impact on the facility. He added that the program has reduced the medication expense, cost of transports, hospital visits, incidents at the jail and it allows those who are participating in the program to remain on Social Security so they don't lose their benefits; he added that currently it reduces the census by approximately 150 individuals.

In response to a question relative to the effect of the current economy on Mental Health services, Ms. Stearns noted that the Mental Health centers currently are seeing more people who have lost their jobs and their benefits; the economic pressures have resulted in more long term mental illness, lost housing, reduced or lost benefits and homelessness as a result of the economy. The program has helped many individuals get their lives back on track and it gets them connected to the community services.

Comm. Ziehm recognized R. Burns, County Treasurer; Mr. Burns addressed the Board regarding the County's investment program. He distributed information relative to the Target Account, the investments and the current investment earnings. Mr. Burns indicated that the current Treasury Bills are coming due and the rates going forward are terrible; he added that banks don't want the County's money in the current economy; he referred to EFT's (Exchange Traded Funds) that he had mentioned the previous year as an option for the County's investments and explained that ETF's are similar to Mutual Funds in that they are based on Treasury Bills (T-Bills) that would give better interest rates than 90-day Treasury Bills; he explained that the principal will go up and down based on the Treasury increasing or decreasing the interest rate.

Mr. Burns explained that EFT's are very liquidable and can be bought and sold as needed; he explained that one of his concerns is that the County would need some of the money; another consideration would be that the interest rate might take a big jump, which would reduce the principal, but he added that the Treasury rate is at .03%; noting that it can't get much lower. He added that recently the Treasury made a statement that the

interest rate is unlikely to increase until 2014. Mr. Burns noted that the Treasury's statement makes the EFT's more appealing as an investment opportunity for the County's 20-30 million dollars that can be invested.

Mr. Burns explained that the County has been required to maintain a Target Account with Citizens Bank, which offsets the banking fees; he added that on average, the Target Account balance is from 15 to 20 million dollars; he explained that bank fees would otherwise be \$65,000 to \$70,000 a year. He explained that it was formerly at 1 million, then 3 million but the requirement took an enormous jump when the interest rates went down to virtually zero; the County has been required to keep more in that account because the bank is receiving so little in interest on the account. Mr. Burns noted that he will also present the same information to the Delegation the following Friday.

Mr. Burns explained that the investments that are coming due have been paying greater than 2%, but that is no longer an option; that frees up about 11 million dollars that needs to be invested. He noted that currently, he has been taking tax revenue and placing it in the Target Account to pay for the balance of fees due from the previous year. He added that keeping the high balance could possibly result in a credit, and noted that that could be favorable for the County. He added that when the County collects the taxes and a high balance is maintained in the Target Account for a part of the year, it allows the County to receive a credit, and then that allows the County to keep a large amount of cash on hand, and a strong cash flow. This action would allow the County to make investments in the ETF's based on the fact that the interest rate is unlikely to go up until 2014 and based on the fact that he has developed a formula that will allow the investments and still maintain a steady flow of cash. The ETF Treasury Bill investments are based on 30-year Treasury bills so the interest earnings are higher than a short-term T-bill; that investment won't go up or down unless the Treasury increases the interest rate. He added that the principal is somewhat at risk, but the risk is minimal unless the Federal Government increases its interest earlier than anticipated.

There was discussion about other options including municipal bonds.

Comm. Holden suggested that the Board take the aforementioned recommendation under advisement and the Treasurer perform his due diligence and return to the Board with a proposal.

Mr. Wenger explained that legislation has changed and the statute allows for only the investment of excess funds. Mr. Wenger explained that the proposal to maintain a Target Account was approved by the Executive Committee as an option to paying \$65,000 to \$70,000 a year for banking services.

Administrative Business

Approval of Minutes – 12/14/2011

Motion: To approve the minutes of the Board of Commissioner's meeting held on December 14, 2011. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve the minutes of the Board of Commissioner's meeting held on December 22, 2011. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Approval of Payroll & Accounts Payable Registers

Motion: To approve the miscellaneous payroll register dated February 16, 2012 in the amount of \$160.00, and another dated February 17, 2012 in the amount of \$1,030.33 for a total of \$1,190.33, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion: To approve the regular payroll register dated February 16, 2012, in the amount of \$1,083,384.35, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve the accounts payable registers dated February 10, 2012 in the amount of \$656.00, and February 21, 2012 in the amount of \$4,312,857.98 for a total of \$4,313,513.98, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

CIS Bid # 17-2012 – Nursing Home Kronos Annual Software Support

Motion: To approve CIS Bid # 17-2012 for Kronos Annual Software Support at the Nursing Home to Kronos, Boston, MA at the price of \$7,039.36 noting that it is a single source bidder consistent with RSA 28:8-e V. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2012-15 – County Attorney’s Office

Motion: To approve Transfer # 2012-15 for the County Attorney’s Office; the request is to transfer \$355 from Education & Conference and to transfer a like amount to Travel-Out of State. Motion by Comm. Pappas, second by Comm. Holden.

Comm. Pappas added that the reason for the transfer is so that one prosecutor can attend a Gang Training Conference.

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 Corrections Census as of February 14, 2012. He explained that the Census at that time was 514 individuals; that includes 471 men, 301 of who were pre-trial and 170 that had been sentenced; there were 59 women of whom 33 were Pre-Trial and 26 that had been sentenced, additionally there were also 16 in the community.

Supt. Dionne informed the Board that he just received information relative to an Orientation meeting being held in Washington, DC on March 8th and 9th relating to the grant that was received through the Justice & Mental Health program. Attending will be representatives from the County that will include 1 person from the Nashua Police Department, 1 from Nashua Mental Health, and 2 from the Department of Corrections. He noted that S. Stearns and Mr. Wenger are unable to attend and requested the opportunity to attend on the County’s behalf should the Board so approve.

Motion: To authorize the Superintendent to attend the Justice and Mental Health Orientation to be held in Washington, DC on March 8th and 9th noting that the expenses will be paid by the grant. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census. He explained that the Census at the Nursing Home as of February 16th was 280; there were 197 Medicaid residents, 42 Private Pay residents and 40 Medicare residents. He noted that the census also includes 1 bed-hold. He explained that adding the 42 Private Pay residents and 40 Medicare residents gives a number of 82 divided by the total in-house equates to 29.9%; this is the percentage that they refer to as the quality mix; the goal is 25%, so this quality mix is outstanding.

January Revenue

Mr. Moorehead presented the revenue for January. He explained that the January Room and Board and Ancillary was \$1,821,129 while the actual for the month was \$1,717,042, which results in a negative variance of \$104,087. He explained that the circumstances affecting the revenue for the month included:

- A negative adjustment of \$77,374.62 for a patient who was Private Pay that transitioned to Medicaid retroactively. He added that it could have been worse had not the County's Legal Counsel been able impact on the final amount successfully.
- January being the first month affected by the reduced Medicare rate
- Bed Tax was below budget by almost \$400,000 as a result of the State pulling back on the Bed Tax

Mr. Moorehead added that he is still comfortable and hopeful that the Nursing Home will meet budget at year end; the ProShare funds have yet to come in.

Mr. Moorehead presented a request to change a part-time speech therapist position (#304641001) to a full-time position. He added that speech therapy is reimbursable over and above the salary of the speech therapist. He noted that the outside contracted speech therapist rate is \$72/hour and the new position rate will be approximately \$30/hr. This will eliminate the need for an outside speech therapist except perhaps to cover vacation time.

Motion: To change a part-time speech therapist position (#304641001) to a full-time position.
Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Registry of Deeds

Bid # 2012-01 – Optical Disk – Indexing System

Register Coughlin presented a request to approve Bid # 2012-01 for an Integrated Contract with Fidlar Technologies for full service records maintenance. She added that money was taken out of the budget last year for any new equipment. She explained that from October 2011 to June 30, 2012 the fee has been at a flat rate and they have capped the rate at 70,000 documents; they are also willing to do a one year extension. She added that she has been discussing a program called Monarch with them that could help increase the copy revenue; noting that it is an option for the future. She added that the contract was reviewed by Counsel and Primex and their recommendations have been incorporated in the contract; it is a request for a single source bidder consistent with RSA 28:8-e V. She added that there is no money in the budget for conversion to other equipment at this time.

Mr. Wenger explained that within the next year, there will be an opportunity to review what it is needed at the Registry and prepare for an RFP for the coming year when it will need to be addressed again.

Motion: To approve Bid # 2012-01 for the Registry of Deeds Lines 7293, 7294, and 7298 to amend the contract with Fiddler Technologies, Exeter, NH with considerations listed on the bid for a one-year extension; there was \$300,000 appropriated originally; \$238,500 will come from Equipment, line 4194; \$61,500 will come from line 4193. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Attorney Kirby explained that by the Register negotiating a portion of the contract retroactively, she has saved the County money.

County Attorney

Domestic Violence Grant

Attorney Hogan requested that the Board approve the final \$10,000 of the Justice Grant Award for the Domestic Violence Prosecutor. Comm. Holden noted that the grant covers the expense of the Prosecutor.

Motion: To authorize the Chair to execute the DV/SA grant for the County Attorney's Office for the Domestic Violence Prosecutor. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Old/New Business

County Attorney Teamster Contract Execution

Mr. Wenger presented the County Attorney Teamster Contract Execution for the Board's signature. The Board executed the contract.

Mr. Wenger informed the Board that the meeting scheduled for Teamster negotiations for February 28th has been postponed.

Mr. Wenger noted that the DOC AFSCME group initial meeting is scheduled for 2:00 p.m. the following Monday; he further noted that he anticipates that ground rules and scheduling will be discussed. Comm. Pappas will attend.

Mr. Wenger noted that the County Attorney's AFSCME group will meet on March 13th 10:30 at the County Attorney's Office.

The Board discussed scheduling conflicts regarding the March 8th meeting, and rescheduled its meeting to March 12th at 9:00 a.m.

County State Finance Commission Membership

Mr. Wenger noted that an issue was raised at the last Executive Committee meeting relative to the constitution of the County State Finance Commission. Mr. Wenger explained that NHAC is looking for input from the Counties relative to the members of the County State Finance Commission; the statute provides for 6 members to be appointed by the Association of Counties; he noted that traditionally that has included a representative from Hillsborough County, a representative from Rockingham County, and then the remaining 8 Counties shared 4 positions. He added that there is a vacancy, and that has raised the question of how people are appointed and whether the appointed person should be a Commissioner. It was noted that currently all members are Commissioners; there are 2 County Administrators requesting to serve; NHAC is looking for input relative to the number and who should be members and how the 6 positions should be filled. Comm. Holden noted that it is her opinion that the voting member should be a Commissioner, but that

anyone could attend. Ms. Robinson noted that she had been appointed many years ago; she noted that she has attended most all the meetings. She noted that the statute allows for 6 members. Further discussion ensued and Comm. Holden read the responsibilities of the members and noted that there are many changes in the statute that are no longer current or that do not relate to common practice.

Mr. Wenger was charged with telling NHAC that Hillsborough County suggests that anyone who wished to attend may do so.

FY 2013 Budget

Mr. Wenger opened a discussion relative to the upcoming budget process and the Budget Instruction Manual with a reference to an article in the Harvard Business Review that addressed the ideal work place. He added that the article related to what the County is facing and read: *“The pursuit of happiness may seem like a high-minded aim at a time when merely surviving feels a triumph, but tough periods are exactly when we should strive to make our workplaces better places to be for ourselves and for others. After all, most of us spend the majority of our waking hours at work or doing work-related activities. It’s in everyone’s best interest to create a positive environment where people matter as much as business. If you and your employees aren’t engaged and committed, what you produce will be uninspired and certainly less than what it could be. That ultimately hurts both the bottom line and your ability to attract and retain talent. Not surprisingly, achieving a happy workplace takes leadership; leaders must look to the future and must motivate people not only to reach an even higher level of quality or an even faster pace, but also to anticipate a tomorrow that allows every member of every team to do something better, smarter, and more meaningful. Leaders must stay positive without being Pollyannas. Happy people and happy leaders especially make work a more pleasant place. Joy is contagious just as negativity is toxic; productivity and engagement improve when people feel they are being heard, not when they are mired in cycles of complaint and dysfunction.”*

Mr. Wenger added that he truly believes that Hillsborough County is mired in a cycle of complaint and dysfunction. He added that as the Board as the administrative leaders of the County start the budget process formally, noting that the Commissioners now have a great opportunity to show leadership and to take the County in the direction it wants to go. He noted that at this point there needs to be a discussion regarding the Board’s message to the Departments; the process formally starts with the distribution of its Budget Instruction Manual the following Wednesday.

Mr. Wenger referred to the draft he provided and asked for direction from the Board with respect to its budget instructions, its message, and its goal. He requested 4 dates from the Board between April 5th and April 13th for the budget reviews with Department Heads and 2 additional days prior to April 30th for 2 work sessions, as well as confirmation that the Board’s Public Hearing will be on May 2nd.

The Board discussed the Executive Committee meeting scheduled for the following Friday and a potential discussion regarding the amount of Surplus to be used. Mr. Wenger noted that it is his understanding that the meeting was to discuss a specific question in the letter from the Executive Committee with respect to the amount of Surplus that could be used. Mr. Wenger added that he is looking for the budget instructions that the Department Heads will need to follow upon which the Board will base its budget recommendation as to what is required to run Hillsborough County and the programs the Board of Commissioners believe are necessary to go forward.

The Board discussed options relative to its instructions. There were differing opinions relative to the Board’s budget instructions with a final consensus that the Board would unanimously accept the draft budget instructions as presented. The Board agreed approve the draft instructions, subject to change following the Executive Committee meeting the following Friday.

Mr. Wenger reiterated that the Budget Instruction Manual sends a message to our Department Heads to develop a budget that addresses the core responsibilities of the Board and the Departments. He encouraged the Board to make a good faith effort to develop its budget in a manner that addresses the reality of the responsibilities of the Board and the safety and security of the County. Comm. Holden noted that this is a message to the Department Heads, not the Executive Committee, and each Department is charged with developing the best possible budget; all the Departments were included in the working groups in an effort to understand the County's needs and the Board's responsibilities.

There was discussion relative to the blanket statement made by the Executive Committee the last budget year related to cutting a percentage of the budget. Mr. Wenger noted that this was not what happened in the end and this approach is not appropriate because each Department is different and has different responsibilities. He added that it is his belief that the primary consideration should be:

- what is the amount of money to be raised by taxes that the County is willing to accept,
- is the Board willing to leave the budget level,
- is it going to decrease taxes as has been done 5 of the last 7 years, or
- is the County willing to increase taxes by 1%; which is the average over the past 12 years?

He urged the Board to have a discussion with the Executive Committee about the realities of what will help the County and will help the Commissioners get there as opposed to a blanket statement of cutting a certain percentage.

Comm. Ziehm expressed her concern regarding making a good faith effort to work with the Executive Committee. Mr. Wenger offered that it would help the Board if there was an agreement regarding what is a good faith effort to get to where the Board's approval would be likely. He suggested that having a 2 to 1 vote going forward does not make a positive statement.

Public Comment

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

The Board discussed dates for its working sessions. The Board agreed to hold budget meetings with the Departments on the following dates:

- Thursday, April 5th at 9:00 a.m.
- Monday, April 9th at 9:00 a.m.
- Wednesday, April 11th at 9:00 a.m.
- Thursday, April 12th at 9:00 a.m.

The Board also set the following dates for work sessions:

- Wednesday, April 18th following the Board Meeting
- Tuesday, April 24th at 9:00 a.m.
- Wednesday, April 25th at 9:00 a.m.

The Board confirmed that it will hold its Public Hearing on Wednesday, May 2nd at 10:a.m. The Regular Board Meeting scheduled for that day will commence at 9:00 a.m.

Old/New Business

Mr. Moorehead presented a candidate for nomination for the Joseph D. Vaughan Volunteer Award. He suggested Maddie Perron for her work with the "Elders on the Grow" program at the Nursing Home. He added that the program consistently involves 15 to 20 residents each year with gardening projects and plant sales.

Motion: To nominate Elders on the Grow, particularly Master Gardner Maddie Perron, for the Joseph D. Vaughan Volunteer Award for her work with program. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Sheriff Hardy commended the Deputy Sheriffs for their action the previous day when they were enforcing a Writ of Eviction in Manchester; he also expressed his appreciation for the group effort regarding the other agencies involved. Sheriff Hardy explained that while doing a cursory search for individuals, as is customary when enforcing a Writ of Eviction, one of the Deputy Sheriffs discovered a bottle that was being used to produce methamphetamine; he added that the chemicals involved could have caused a tragic fire that might have involved the entire block, noting that the apartment is part of an old row house. He expressed his praise to the Deputy Sheriffs for a job well done and for appropriately handling the media attention.

Non-Public Session

Mr. Wenger requested an opportunity to meet with the Board in Non-Public Session.

The Board took a brief break.

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

The Board moved into Non-Public session at 12:31 p.m.

The Board met with Mr. Wenger, Ms. Robinson and C. French.

The Board moved out of Non-Public Session at 2:10 p.m.

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

Adjourn

The Board moved to Recess its meeting.

Motion: To Recess the meeting until Friday, February 24th immediately following the Executive Committee meeting. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

The meeting recessed at 2:11 p.m.

Approved on May 16, 2012

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

Date