

Regular Meeting of the
Hillsborough County Board of Commissioners
February 27, 2008
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. T. Pappas, Comm. C. Holden, Comm. M. Clemons, D. Essex, M. Pilotte, J. Hardy, J. MacDonald, B. Moorehead, J. O'Mara, C. Roach, P. Boardman, G. Wenger, A. Durette, V. Chandler, E. Robinson, M. Rusch, D. Reidy, C. Kirby, D. Kearsley, J. Dimick, and L. Stonner.

Also present: T. Flygare

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 9:04 a.m. Sheriff Hardy led those present in the Pledge to the Flag.

2. Negotiations

Motion: To move into a non-meeting. By Comm. Holden, second by Comm. Holden. Motion carried all three Commissioners expressing their support.

The Board recessed to a discuss negotiations with Mr. Flygare at 9:07 a.m. The Board recessed its discussion and returned to its regular meeting agenda at 10:07 a.m.

Motion: To return to the regular meeting. By Comm. Holden, second by Comm. Holden. Motion carried.

3. Budget – Initial Budget Discussions

The Board met with the Department Heads and Elected Officials for an initial discussion regarding the Fiscal Year 2009 Budget process. Comm. Pappas recognized Mr. Wenger who reviewed the process as outlined in the Budget Manual previously distributed including the Commissioners' and changes implemented through the Board's budget instructions. Mr. Wenger explained a change in the process in the Business Office where there will be three staff working with the Departments rather than having all budget information going through one person as has been the practice. He noted that another significant change in the process addressed the treatment of requests for new positions. He explained that in its instructions this year the Board has requested that appropriations for all new positions, or changes in existing positions, be included in the department's request. He explained that in the past these costs were where initially submitted outside the budget on the New Position Request Form and added to the budget after approval by the Board. He explained that this year the Board is asking that such requests be included in the budget with the associated costs itemized in detail on the New Position Request Form so that should the Board not approve the request the request as itemized can be removed from the budget. He also explained changes to the Form requiring signatures by the Board and Executive Committee upon approval of new positions and noted that the executed form will be delivered to the Human Resources Department where the position will be incorporated into the payroll system. He requested that the form and approval process be utilized throughout the year for record keeping purposed. The form will be completed whenever there is a new position created. A discussion followed reviewing the change and the process which will include the Board signing off on all approved positions, using this form, then the form will go to the Executive Committee for approval and signature, and finally, it will be delivered to the Human Resources Office where it will be entered into the Munis system to activate the employee pay and benefit process. Mr. Wenger also noted that

the budget instructions request departments to review health insurance usage as opposed to simply calculating a percentage increase over the previous budget amount.

A discuss of the schedule followed during which Mr. Wenger identified the following dates:

- 3:00 p.m., March 26 All Revenue & Expenses due in the Business Office-Munis access will be shut off
- 3:00 p.m., March 17 All Software & Technical requests delivered to the attention of Mr. Wenger
- March 17 Salary sheets due in the Business Office

Mr. Wenger went on to explain that any potential or unanticipated grants should be identified, noting there is both an expense and revenue line for unanticipated grants. He reported that telephone budget numbers will be provided shortly and that there may be transfers related to this expense.

Department Heads and Executive Committee members asked general questions that were addressed by Mr. Wenger. Clarification was given on the following issues:

- Salary sheets with instructions will be sent to all Department Heads by email
- The Business Office will meet with departments to review salary sheets hopefully within the next ten days
- Business Office will be using Munis and using position numbers
- Twenty-six pay periods will be budgeted for
- Appropriation Control Report distributed-as of last pay week-16 pays to date, 10 to go.
- Salary sheets will reflect numbers as they should be on June 30, 2008
- The need to clarify any potential issues

Comm. Pappas thanked Mr. Wenger on behalf of the Board for the work he has done to develop the budget process. She explained that the Board's job, as well as that of the Representatives, is to deliver County services at the lowest possible cost to the taxpayers and noted that we are in tough times. She requested that each department consider keeping spending at the barest minimum, and perhaps even coming up with creative ways to raise revenue.

Comm. Holden indicated her hope that the budget impact will not change the financial impact on the taxpayers. She noted that the Board had managed to keep the rate of increase at a minimum and even reduce the expenses in prior years. She added that with the union contracts and some of the fixed costs, an increase would result; she encouraged everyone to keep increases at a minimum and suggested that the Department Heads consider increasing efficiencies in their respective departments wherever possible and look at justifying new and existing expenses. She noted that the Board would appreciate any changes that would result in savings.

Comm. Clemons expressed his believe that it is the Board's responsibility to provide quality services to the people of Hillsborough County as efficiently as possible.

Rep. Essex inquired if the Board had considered moving up the timeline, noting that it is difficult to schedule subcommittee meetings, get all the printing done and complete the budget in a timely manner. He noted that any extra time would be appreciated.

Comm. Holden explained that the timeline has been set according to the statutes. She noted that the Board would do its best to move through the process as quickly as possible, noting that the Board is aware that the Delegation has many people involved in the process. Mr. Wenger noted that the departments have also requested as much time as possible and the Board's schedule looks to follow the statutory timeframe as

closely as possible resulting in each phase of the process having approximately one month to complete its process. Rep. Pilotte noted that last year the Delegation was required to hold a Friday meeting on Memorial Day weekend; he would like to avoid that this year. He noted that even one day earlier is helpful.

Mr. Wenger informed those present that his office was presently working on in issue with the Appropriate Control Report where prior year encumbrances are being carried forward on some lines. He noted that the prior year's numbers on the MUNIS budget report are not affected and will be correct. Department Heads were asked to identify any pending or potential issues that they foresee in the current or future budget. E. Robinson addressed a significant issue-that of how her budget might be affected by HB 02 and the pending court decision. She hopes to have some answers before the end of this fiscal year. She further noted that there may be some encumbrances that her department could release. She is anticipating writing three budgets, one for each possible scenario. She does anticipate possible changes in her Department.

Mr. Wenger informed the Board and Department Heads that the County has received a very favorable audit this year and noted that we have become more streamlined in handling the process, which has provided the auditors time to begin looking at other items which have not been addressed in the past; an example would be the encumbrances.

Mr. Wenger anticipates that we will see more transfers between now and the end of the fiscal year because of the tight budget, noting that the County should still fall within the budget.

Mr. Moorehead informed the Board that issues where he has some concern with include: costs for water, fuel, electric, and prescription drugs under Medicare Part A where the costs for the drugs can be significantly higher than what is covered by Part A.

Mr. O'Mara noted that water costs also affect the complex. No other Department Heads indicated issues. The Registrar of Deeds did note that revenue is 27% down.

Mr. Wenger explained that the Board will schedule its meetings with Department Heads during April. He asked the Department Heads to let him know the dates they will be unavailable.

There being no further discussion, Comm. Pappas, on behalf of the Board, thanked everyone for attending. Several individuals excused themselves at this time.

4. Minutes

Motion: To approve the minutes of February 20, 2008. By Comm. Clemons, second by Comm. Holden. Motion carried subject to changing the next to the last line on page seven so that it reads: *"acceptable when she was hired"*.

Motion: To approve the minutes of the public and non-public session on February 25, 2008. By Comm. Holden, second by Comm. Clemons. Motion carried.

5. Business Office

Approval of Payroll Register

Motion: To approve the Payroll Register dated 02/21/2008 for \$1,079,089.35, subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried.

Approval of Accounts Payable Register

Motion: To approve the Accounts Payable Register dated 02/26/2008 for \$1,129,886.63, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried

Sheriff's Extradition Voucher

Motion: To approve the Extradition Voucher dated 01/23/2008 for \$517.22, noting that it has been approved by the County Attorney. By Comm. Holden, second by Comm. Clemons. Motion carried.

Bouchard Building Second Floor Bids

Mr. Wenger distributed a package to the Board. He explained that the County has received eight bids for the renovation of the second floor, which included a base bid, and pricing for six alternates, some of which were adding cost and some of which would subtract cost should the County determine to complete the work itself. He noted Capt. Cusson, Rep. Jasper and Comm. Holden and he recently met with the Contractor to discuss the alternates to achieve understanding of what they were and whether it would be in the County's best interest to accept any. Following discussion Mr. Wenger recommended that the Board accept four of the alternates as outlined on the bid materials:

He noted that he is presenting that bid at this time with a request that it be conditionally approved in order to allow work to continue on the development of the proposal package to be presented to the Board, Executive Committee, and Delegation for approval. He suggested that should the Board conditionally approve the bid, it will allow discussions with the contractor to facilitate the development of lease and contract documents. He explained that issues that need to be addressed are time, the length of lease, the availability of funds and the transfer of funds from the contingency line.

Motion: To approve the contract to the lowest bidder meeting the specifications, which is CMCG Building Corporation of Bedford, NH, and to include alternates; A - paving; B - brick pavers; C - plywood for the second floor in the amount of \$12,428 and the County will purchase the plywood and install it; and F - extra security in the amount of \$4,000; the approval will be subject to the following three conditions: 1. the availability of sufficient funding to proceed with the project; 2. agreement on and approval of a lease agreement between Hillsborough County and the State of N H; and 3. the approval by the Board of Commissioners and the Executive Committee of transfer from Contingency line 7960 Buildings, to County Complex line 7960-Buildings, sufficient to fund the project, the total amount for the project is \$784,649. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Wenger explained that the total price is actually a reduction from the base bid price because of the additions and subtractions that the County is accepting. He thanked the Board for taking action. A brief discussion followed regarding the work to be completed to develop the proposal package.

6. Department of Corrections

Census

Mr. O'Mara presented the Census, noting that the census as of February 22 was 552, which included 500

men, 156 of whom were sentenced and 344 were pre-trial; there were 52 women, which included 12 that were sentenced, 38 that were being held pre-trial, and 2 being held for Rockingham County-1 sentenced and 1 pre-trial.

Bid # FY08-74 – Security Camera Equipment & Install Completion

Motion: To approve Bid # FY08-74 for Security Camera Equipment & Installation Completion to Pelmac Industries, Auburn, NH for a total amount of \$8,909 with a request to waive competitive bidding under RSA 28:8e,V, noting that it has been the vendor for all previous purchases and installations of Security Equipment, and this is an ongoing project. By Comm. Holden, second by Comm. Clemons. Motion carried.

Bid # FY08-75 – Three (3) Copystar Copy Machines per Specs

Motion: To award Bid # FY08-75 for Three Copystar Copy Machines, to Integrated Office Solutions, 126 Hall Street, Suite J, Concord, NH for a total of \$27,800, noting that it is the lowest responsible bidder and the current provider of service contracts. By Comm. Clemons, second by Comm. Holden. Motion carried.

Bid # FY08-76 – AHC Max Supervision Monitoring Devices

Motion: To approve Bid # FY08-76 for AHC Max Supervision Monitoring Devices, to Secure Alert, Sandy, Utah, at a unit price of \$3.85/\$6.85 per day, noting that it is the lowest responsible bidder and it has a flat fee for all services provided, including insurance. Motion by Comm. Holden, second by Comm Clemons. Motion carried.

Mr. O'Mara reported that he has three requests for Non-Public Sessions under RSA 91-A:3 II(a), RSA 91-A:3 II(c)and RSA 91-A:3 II(g).

7. Nursing Home

Census

Mr. Moorehead presented the Nursing Home census, noting that as of February 14, the census was 280, of which 209 were Medicaid, 40 were private pay and 31 were Medicare, Part A.

January 2008 Revenue

Mr. Moorehead informed the Board that the Budget for January was \$1,538,060 while the actual was \$1,674,358 resulting in a positive difference of \$136,298.

Bid # 23-2008 – Pressurized Expansion Tanks

Mr. Moorehead informed the Board that Bid 23-2008 is for two pressurized tanks for the water system, noting that the current tanks are old, original equipment that have been problematic. He recommended the lowest responsible bidder, Philbrick & Sons, Manchester, NH at a price of \$10,800.

Comm. Clemons inquired what the tanks are used for, to which Mr. Moorehead replied that they generate pressure for the water coming in from the well, which allows water to be distributed throughout the building.

Motion: To approve Bid 23-2008 for the Nursing Home for pressurized expansion tanks as stated, noting that the price is \$10,800 and it is the lowest responsible supplier. Motion by Comm. Holden, second by Comm Clemons. Motion carried.

Bid # 27-2008 Resident Lounge Furniture

Mr. Moorehead informed the Board that Bid 27-2008 is for Resident Lounge Furniture, noting that within a week or two this resident lounge will be ready to receive this furniture, further noting this was an issue with the Nursing Home's Quality of Life submission made in FY07 and was budgeted for FY08. He explained that this includes an area for a Library, a game area, and a Snack Bar area, which will provide a very nice setting for the Residents. The lowest responsible bidder is Direct Supply at a cost of \$10,626.49.

Motion: To accept Bid # 27-2008 for Resident Lounge Furniture at a price of \$10,626.49 to Direct Supply, Milwaukee, WI, noting it is the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden. Motion carried.

The Board inquired if Mr. Moorehead will be submitting another Nursing Home's Quality of Life application for this year, to which he noted that he will have a request ready by May. Mr. Moorehead explained that Nursing Homes are beginning to use Wii machines for therapeutic use such as physical therapy, and noted that he is looking to find one for one of the lounges. Comm. Clemons asked if they were looking for a donation, to which Mr. Moorehead replied they would always accept donations.

Bid # 28-2008 Carpet & Tile Flooring – Resident Lounge

Mr. Moorehead informed the Board that Bid # 28-2008 is also for the new Resident Lounge and for the Quality of Life Initiative. This bid is for Carpet & Tile Flooring, which will be installed by our Maintenance crew. The lowest responsible bidder, based on the attached list, is Goedecke, Bedford, NH, at \$4,145.66.

Motion: To approve Bid # 28-2008 for Carpet & Tile Flooring for the Resident Lounge to Goedecke, Bedford, NH, at a cost of \$4,145.66, noting that it is the lowest responsible bidder. Motion by Comm. Holden, second by Comm Clemons. Motion carried.

8. Public comments

No members of the public were present to speak at the time.

Delegation

M. Rusch informed the Board that the next Executive Committee is scheduled for Friday, March 28 at 9:00 a.m.

C. Kirby requested to meet with the Board to discuss pending litigation matters.

9. Old/New Business

Mr. Wenger noted that he did follow-up with the Performance Audit Committee and the new proposed

meeting date is Friday, March 14 at 3:40 p.m. Each of the Board members indicated that they will be available on that date.

Comm. Holden provided the Board with an update on the efforts of the Master Plan Committee and referred the Board to the packet of minutes provided today which includes all meeting minutes of the Master Plan Committee to date. She presented two requests from the Committee for the Board's consideration and approval if acceptable. Following a discussion the Board entertained the following motions as requested by the Master Plan Committee:

Motion: To recommend to the Board of Commissioners that the Master Plan Committee be authorized to retain the services of a consultant to assist in the development of a Master Plan, which includes a Design Charrette wherein stakeholder input and consensus building process relative to the future vision of the County's Goffstown property will occur. Motion made by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden noted that the Design Charrette includes a listening and consensus building process. The expense will be included in the FY09 budget. She indicated that the Master Plan Committee would like to know if it has the support of the Board before proceeding further.

Motion: To recommend to the Board of Commissioners that it include in its budget recommendation for Fiscal Year 2009, an appropriation of \$55,000 to support the work of the Master Plan Committee in its effort to develop a plan for the future vision of the County's land in Goffstown. By Comm. Holden, second by Comm. Holden. Motion carried.

Comm. Holden noted that she anticipates that the plan will include conservation and multiple uses for the County land. A discussion regarding the number followed including the need to look to grants and other funding sources including donated time and services. Mr. Wenger noted that the first motion authorizes the Committee to pursue opportunities including grants and volunteers to help get the job done. The second motion is a recommendation from the Committee relative to the costs associated with the next phase of its work. Comm. Holden informed the Board that she anticipates that the Master Plan Committee will be making a presentation to the Board during the budget process explaining how the Committee will use the funds. She also anticipates that the committee will make presentations to the Executive Committee and the Delegation if appropriate.

Non-Public Session

Motion: To go into Non-Public Session with the Department of Corrections under:

- RSA 91-A:3 II (a) – Personnel
- RSA 91-A:3 II (c) – Reputation of a person
- RSA 91-A:3 II (g) – Security-related

Comm. Pappas explained that the Board would also be meeting in Non-Public session with J. O'Mara, B. Moorehead, E. Robinson and G. Wenger individually under RSA 91-A:3 II (a) – Personnel, and then with Counsel and the Director of Human Services under RSA 91-A:3 II (e) – Litigation.

Motion, to include all items, made by Comm. Holden, seconded by Comm. Clemons. Pappas-yes; Holden-yes; Clemons-yes. Motion carried.

The Board moved into Non-Public session at 11:21 a.m.

The Board met with Mr. O'Mara to discuss two personnel matters within his department and an inmate security issue.

The Board met with Mr. O'Mara followed by Mr. Moorehead, Ms. Robinson, and Mr. Wenger, each individually regarding the completion of their respective annual evaluations.

The Board vacated the Board of Commissioners Conference room at 12:03 p.m. and moved to the Human Services Conference room.

The Board continued its discussion with Mr. Flygare regarding negotiations.

The Board returned to public session at 1:23 p.m.

Motion: To return to public session. By Comm. Holden, second by Comm. Clemons. Pappas-yes; Holden-yes; Clemons-yes. Motion carried.

The following motions were made as a result of discussion during Non-Public Sessions:

Motion: To support Mr. O'Mara's recommendation to accept a Sullivan County inmate. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To make a non-precedent setting motion to authorize an employee at the Department of Corrections to carry over 52 hours of vacation time. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To accept the Fact finder's report that was recently issued in regard to the AFSME contract in the Sheriff's Department. By Comm. Clemons, second by Comm. Holden subject to discussion.

Comm. Clemons noted that in this particular case, the Union has asked for Fact-Finding and was involved in the selection of the Fact-finder and now that the facts have been reported the Union has rejected the Fact finder's report. Comm. Clemons expressed his belief that the Board should accept the report to show the Delegation and the Executive Committee and the Union members that the County is more than willing to cooperate in solving this Labor Dispute; he believes that accepting the Fact finder's report is a gesture of goodwill on County's part and the proper action to take.

Comm. Holden noted her reservations with the acceptance of the Fact-finder's report since it was rejected by the Union because she believes it will limit the flexibility to go back to the table, but noted that she will be voting in favor of it because she believes in the process and this will go forward to the Executive Committee, and finally to the Delegation for a vote on the Fact-finder's report. Sheriff Hardy agreed with Comm. Holden's opinion and encouraged the Board to accept the Fact finder's report.

Motion carried.

Motion: To remove any reference to supervision or oversight of the Department of Human Services and/or the Director of the Department of Human Services from the Job Description of the County Administrator, similarly to remove any reference to reporting to the County Administrator from the Job Description of the Human Services Director and replace it with reporting to the Board of Commissioners. Comm. Clemons noted that this

change reflects current practice. Motion made by Comm. Clemons, second by Comm. Pappas. Comm. Pappas-yes; Comm. Clemons-yes; Comm. Holden noted that she will vote in favor of this motion but would like to make a statement. Discussion followed. Motion carried.

10. Adjourn

There being no further business for the Board's consideration at this time, a motion to adjourn was accepted.

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

The meeting adjourned at 1:30 p.m. to meet with Counsel.

(SIGNED 3/26/08)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date