

Regular Meeting of the  
Hillsborough County Board of Commissioners  
March 4, 2009  
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, C. Beaulieu, P. Boardman, V. Chandler, P. Coughlin, J. Dimick, A. Durette, J. Hardy, C. Kirby, B. Moorehead, J. O'Mara, D. Reidy, K. Rickrode, M. Rioux, C. Roach, E. A. Robinson, M. Rusch, M. Wageling, G. Wenger, L. Stonner, C. French, and L. Croteau.

**1. Pledge to the Flag**

Comm. Pappas called the meeting to order at 9:02 a.m., followed by the Pledge to the Flag led by Comm. Holden.

**2. Minutes**

February 18, 2009

**Motion:** To approve the minutes of February 18, 2009. By Comm Clemons, second by Comm. Holden. Motion carried.

**3. Business Office**

Approval of Payroll Registers

**Motion:** To approve the Payroll Register dated 2/19/09 in the amount of \$1,103,205.07, subject to review and audit. By Comm Clemons, second by Comm. Holden. Motion carried.

Approval of Accounts Payable Register

**Motion:** To approve the Accounts Payable Register dated 3/2/09 in the amount of \$1,055,467.57, subject to review and audit. By Comm Clemons, second by Comm. Holden. Motion carried.

Transfer Request # 2009-07

**Motion:** To approve Transfer # 2009-07 for the Nursing Home, to transfer \$8,000 from Nursing Department Retirement to Housekeeping Department Retirement. By Comm Clemons, second by Comm. Holden.

Mr. Wenger informed the Board that the Business Office has been working with the Nursing Home, and has analyzed all the various salary lines and roll-up lines looking at the projections, and noted that this is one Department that the County will need to address because of a calculation issue that occurred when the budget was done last year. He noted that there may be other departments or other lines that need to be addressed as the budget year progresses.

Motion carried.

Mr. Wenger requested that the Board ratify its action taken by a Telephone Poll conducted on Monday, March 2, 2009 at the request of the Department of Corrections to authorize the Superintendent to accept the transfer of a male inmate from the Sullivan County Department of Corrections. Mr. Wenger noted that all three Commissioners were reached and agreed with the action.

**Motion:** To approve a Telephone Poll conducted on Monday, March 2, 2009, to accept the transfer of a male inmate from the Sullivan County Department of Corrections. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

#### **4. Department of Corrections**

##### Census

Comm. Pappas recognized Supt. O'Mara who presented the Department of Corrections' Census, noting that as of February 27, the Census was 605, and explained that this included 7 inmates in the community as well as 532 men of whom 319 are being held pre-trial, and 213 have been sentenced. There were 73 women of whom 40 are being held pre-trial and 33 have been sentenced. Comm. Clemons asked how the inmates in the community were monitored, to which Mr. O'Mara explained that the inmates are required to call in each day and they are wearing ankle bracelets. Physical spot checks are also conducted. In response to a question from Comm. Holden relative to the success of the day reporting, Mr. O'Mara responded that two of the inmates in the community are women. One is pregnant and is receiving medical care in the community at her own cost, and the other is completing a Court-ordered program in Canterbury so that when she completes her sentence she will only have a very short time to complete the treatment requirements, and she will be back home with her family.

Mr. O'Mara conveyed two requests to meet with the Board in Non-Public Session later in the meeting.

#### **5. Nursing Home**

##### Census

Comm. Pappas recognized Mr. Moorehead who presented the Nursing Home Census. He noted that as of February 26, the Census was 274, which included 200 Medicaid residents, 37 private pay residents, and 37 Medicare Part A residents.

##### January Revenue Report

Mr. Moorehead presented the January revenue report, and informed the Board that the budget for January was \$1,655,673, while the actual revenue was \$1,749,275, resulting in a positive variance of \$93,602 to the good. He further noted that year-to-date revenue through the end of January is estimated to be approximately \$656,000 over budget, noting that it excludes the Pro Share amount, which will come in during June. Comm. Holden congratulated Mr. Moorehead for the Nursing Home bringing in extra revenue, and for the Quality Care sign at the facility.

##### Bid # 30-2009 – 25 Pound Commercial Washer

Mr. Moorehead explained that this bid is for a 25 lb. Commercial Washer used for washing smaller and lighter things; it replaces a home-type washer that typically has broken down annually; the proposed washer is a heavy duty washer that should hold up better. He recommended Yankee Equipment, Barrington NH, as the lowest responsible bidder at a price of \$3,650.

**Motion:** To approve Bid # 30-2009 for the Nursing Home for a 25 Pound Commercial Washer to Yankee Equipment, Barrington NH, at a price of \$3,650, noting that it is the lowest responsible supplier and bidder. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

#### CMS Five Star Nursing Home Rating Update

Mr. Moorehead presented information relative to the CMS (Centers for Medicare and Medicaid) Five Star Nursing Home Rating Update. He indicated that the Nursing Home is rated in the areas of overall quality, health inspections, quality measures, and staffing, and mentioned that the health inspections rating went from a 3 (last December) to a 4 currently. He noted that this information appears on the Medicare Nursing Home comparison website that families in the community typically check when looking for a Nursing Home for their loved one. Comm. Clemons suggested that the Nursing Home publicize ratings in the local papers. A discussion occurred and the general feeling was that the best way to publicize the Nursing Home is through positive articles relative to the Nursing Home, rather than publish the ratings; the more positive publicity, the better. Comm. Clemons mentioned his experience at a meeting when an attendee criticized the conditions at the Nursing Home, and he indicated that he told her she was incorrect. Comm. Clemons expressed his belief that the person was misinformed. Mr. Moorehead offered to contact the person to address any concerns; Comm. Clemons will forward contact information to him.

Supt. O'Mara noted that he has had per diem nurses who have also worked at the Nursing Home, and they have indicated to him that our Nursing Home is by far, the cleanest, most well run, and the best caring facility that they have worked in, further noting that these nurses have expressed that they are extremely impressed with what they experience at the Nursing Home.

#### **6. Old/New Business**

P. Coughlin, Register of Deeds, provided the Board with an update packet relative to the Registry that included the layout, floor plan and all the equipment housed at the Registry. She also provided an updated February revenue sheet, and noted that the document count went up 3%, but overall, Registry revenue is still down because of the economy.

M. Rusch informed the Board that the next Executive Committee meeting will be held March 27 at 9:00 a.m., following which, there will be a budget orientation meeting. She noted that each Department will be asked to make a ten to fifteen minute presentation relative to the function of the Department during the budget orientation portion of the meeting. Comm. Holden agreed to do a presentation on behalf of the Board. Mr. Reidy will outline the proposed Master Plan during the regular meeting.

Comm. Holden informed the Board that she submitted news articles to newspapers, and the Nashua Telegraph ran an article relative to the Hillsborough County Drug Program. E. Robinson responded that her Department has received a number of requests for information including requests from the Nashua Public Library and the Nashua Senior Center. Mr. Wenger noted that in Rockingham County, he has seen the prescription cards in a sandwich shop and other public places.

Comm. Holden also shared information relative to the "Don't Get Crushed by Debt" program sponsored by UNH Cooperative Extension, and noted that the program will be held today at the Nursing Home and tomorrow at the Bouchard Building from 3:00 to 4:30 p.m.

Mr. Wenger informed the Board that he has an update relative to the schedule of negotiations. He noted that the County would be sitting down the next day at 1:30 with the DOC AFSME group. He noted that this will likely be the time when ground rules and schedules are addressed. The County Attorney Teamsters group

will meet at 10:00 a.m. tomorrow. Comm. Holden indicated that she could attend the meeting this afternoon, and Comm. Pappas noted that she can attend tomorrow's meeting.

Mr. Wenger informed the Board that the County received the Annual Audit yesterday; it contains a management and an internal control letter. He further noted that it was his impression that all of the issues mentioned in the letters have been addressed, or are in the process of being addressed. Mr. Wenger does not see these as major issues, and indicated that he does not see them being issues in the future. He noted that as we have become more efficient and better able to understand what the auditors are looking for, we are better prepared when they arrive; this results getting the normal things done quicker and allows the auditors to expand beyond what they have traditionally reviewed. Mr. Wenger expressed his appreciation for the Nursing Home's efforts to address and recognize issues. The Board agreed to review the report.

Mr. Wenger informed the Board that Tom Flygare spoke with him relative to the Fact-Finder's Report. He mentioned that Mr. Flygare has received notice from Steve Lyons that the Nursing Home AFSCME group voted to accept the Fact-Finders Report. He noted that the Board has reviewed the report with Mr. Flygare but has not taken action on it, and he suggested that the Board may wish to consider taking action on the report. Comm. Holden suggested that the Board discuss it in Non-Public session.

E. Robinson related that she received an email from John Wallace regarding DCYF outstanding County deductions, and went on to explain that it was basically a demand for payment. She suggested that the County continue with its stance, which is that the County was not provided with appropriate documentation or backup, and that the County refuses to pay pending receipt of documentation, and the opportunity to review the information. She noted that it is her understanding that Rockingham County is refusing to pay, as well as Belknap County. The Commissioners agreed to discuss the issue further during the budget discussion.

Mr. O'Mara mentioned the move to undo legislation that passed two years ago, which allows the County to bill the State for any inmate serving more than 365 days in a County Correctional facility. He noted that he had suggested that he would provide the Board with the amount involved and indicated that the balance as of the end of January was \$164,500. He noted that his request to meet with Counsel is relative to this issue and how to proceed.

Comm. Clemons asked the Board to consider placing "Public Comments" at the beginning of the agenda because as it is now, members of the public cannot speak until many items have already been discussed and voted. The Board discussed the issue and considered the suggestion worthy of serious consideration and agreed that many public meetings allow for members of the public to speak on agenda items at the opening of the meeting, but they usually limit debate or discussion to three minutes, for example. The Board will address this again at its next meeting. Mr. Wenger noted that the current practice is that if someone wishes to address the Board, they may request to be placed on the agenda by contacting the Board or the Business Office seven days prior to the meeting; this practice allows the Board to be prepared to respond to any issue.

## **7. Public Comments**

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

## **8. Non-Public Session**

Comm. Pappas suggested that the Board consider the requests for Non-Public sessions.

**Motion:** To move into Non-Public session under RSA 91: A-2 I (b), Consultation with legal counsel, and under RSA 91: A-3 II (c), for the following purposes:

- Matters, which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting, and
- The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted. By Comm. Clemons, second by Comm. Holden. Pappas-yes; Holden-yes; Clemons-yes. Motion carried.

The Board moved into Non-Public session 9:40 a.m.

The Board met with Supt. O'Mara and Attorney Kirby, Legal Counsel, relative to a medical care issue at the Department of Corrections, and relative to advice regarding an issue with the State.

No action was taken during Non-Public session.

The Board moved out of Non-Public Session at 10:04 and returned to its regular meeting in order to address the budget discussions scheduled for 10:00 a.m.

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

## 9. Initial Budget Discussions

Comm. Pappas explained that discussion will commence relative to the FY 2010 budget. She remarked that she is hopeful that all Departments have had an opportunity to read the letter from the Commissioners. She expressed her belief that the Board is extremely concerned about the economic times that we are in, and noted that in spite of the tight budget and poor economic times, the Board wants to deliver all of the County's services in the best possible manner, at the lowest cost to the taxpayer, and the Board is depending on all of the Departments to help meet that goal.

Comm. Holden expressed her belief that there should be a compelling reason for adding new employees or any new programs as well as any existing programs that are not part of the County mandate, noting that the County has services that it is required to provide, and the intent is to continue those services, but it should not be trying to expand the County's role at this time. She noted that the goal is to determine what is worthwhile, and what is luxury, and it is her hope that the voters will communicate with the Board through the Selectmen, Town Councilors, and Boards of Aldermen.

Comm. Clemons expressed his belief that the County has to be more careful with its spending in these economic times and believes that it is incumbent upon every public official to sharpen the pencil when it comes to government expenditures. He noted that the more money people can keep in their pockets to survive these economic times, the better off they will be; however, he believes the County should not place its most vulnerable people at risk when this is done. He expressed his belief that County services should be maintained, if possible.

Comm. Pappas asked Mr. Wenger to address the budget process from his perspective and that of the Business Office. Mr. Wenger noted that he would like to briefly go over budget timelines and the budget instructions to highlight where there are changes that the Board is implementing this year. He explained that the Board's schedule for this year is condensed...the turnover time is shorter. He also noted that he

will address where the County stands seven months into the current budget, noting he will be referring to figures as of the end of January. He further noted that he would also like to address a couple of issues that the County faces going forward into the FY 2010 budget; issues that the County needs to look at as it moves to the future.

Mr. Wenger reviewed the budget book and instructions. He noted that the book includes the schedule and emphasized that all budget materials and supporting information is due in the Business Office by 3:00 p.m., Thursday, March 26, 2009; at that point, access to the Munis program will be limited. Mr. Wenger requested that any Department contact him if it could not meet individually with the Board, as scheduled. Mr. Wenger noted that it is critical that all supporting information be filed with each Department's budget by March 26 in order for the Commissioners to have a fair opportunity to consider what each Department is looking for. He noted that one change the Board has made this year is relative to vacant positions that the Departments will not be looking to fill until after the start of the new fiscal year; the Board is asking that these positions only be budgeted for ten months. He went on to explain that if a Department is looking for a new position, or is looking to expand a position, it is critical that a *New Position Request* form be completed; that form allows the HR Department to place the employee in the appropriate salary and range, and it also provides information related to the associated costs, so that if those positions are added or deleted, all associated costs will follow. The Business Office is then able to add or delete information correctly. Mr. Wenger noted that a new position will not be put into the budget until the *New Position Request* form is delivered to the Business Office.

Mr. Wenger discussed the *Computer Equipment/License Request* form, noting that this year, with the new phone system, the County will need to account for telephones; if a Department creates a new position that needs a new telephone, the *Computer Equipment/License Request* form must be completed; the form should also be used for any deletions.

Mr. Wenger noted that the Board is requesting that all *New Position Requests* be delivered to the Business Office prior to March 20<sup>th</sup> so the Business Office can incorporate them into the salary spread sheets. He further noted that *Computer Equipment/License Request* forms should be delivered to the Computer Department by March 19 so that there is time to get a cost for the item(s) and, if appropriate, to incorporate them in the budget.

Mr. Wenger explained that based on information available as of the end of January, it would appear that the County's projected revenues are going to be approximately \$800,000 to \$1,000,000 short of budget expectations, in large part due to issues with the economy, the lower revenues from the Registry of Deeds, and lower than anticipated invested fund earnings.

Mr. Wenger explained that projected expenses for the same period are anticipated to be approximately \$2,000,000 to \$3,000,000 under budget, and noted that based on history, that is probably conservative. He went on to explain that in spite of the economic conditions, the County is in pretty good shape with regard to its current budget. He went on to explain that at this point in the year, his "guestimate" is that the County will end the year with a total accumulated surplus of \$15,000,000 to \$18,000,000.

Mr. Wenger went on to explain that the majority of the County wages are undetermined at this time and will remain that way through the Board's consideration of the budget because the majority of the collective bargaining agreements will not be settled until late in the Board's process. He noted that the County currently has collective bargaining agreements with the DOC Teamster group, and the Sheriff's Office AFSME group, which run through next year. The County is at the table with the Nursing Home Chemical Workers, the County Attorney Teamster group and the DOC AFSME group. The Nursing Home AFSME group is at the Fact-Finder's report stage. He noted that the groups that the County does not have agreements with represent the largest component of the County's employees.

Mr. Wenger informed the Board that the budget for Salaries and Wages County-wide for FY 2009 was \$30,155,885. He noted that an increase of 1% in salaries costs approximately \$300,000 with additional rollups of approximately 15%, or another \$45,000. He explained that every 1% increase will cost the County approximately \$345,000. Mr. Wenger further noted that the County's not-to-exceed Health Insurance increase is at 6.5%. The Health Insurance line last year was budgeted at \$5,500,000, thus, 6.5% of that represents a potential increase of \$358,000.

Mr. Wenger noted two other factors that will need to be taken into consideration. The first is the relocation of the County Attorney's office to Nashua, noting that there are some funds in contingency this year, but additional consideration must be given to the cost of the move. The second matter relates to the Department of Corrections FY 2009 budget; last year the DOC budget for FY 09 was reduced when the Board and Executive Committee approved a transfer of \$328,130 for the purpose of completing FY 09 projects with surplus FY 08 funds; the buildings line is currently budgeted at \$1 and the new equipment line is budgeted at \$20,000. He further noted that the average appropriation over the last five years for these two lines totaled \$135,000; the County will need to address these lines in FY 2010.

Mr. Wenger explained that there are two economy-driven issues on the revenue side; the invested fund income and the income from the Registry of Deeds. He noted that, without having discussed this with the County Treasurer; he anticipates that revenue from investment fund earnings may be approximately \$750,000 next year, and he explained that over the course of two years, that would represent a 1.25 million dollar reduction in the County's available revenues. He went on to explain that, with respect to the Registry of Deeds, in FY 08, revenue was budgeted at \$5,000,000; the actual was \$4,020,313. He noted that this year the budget revenue amount is \$4,250,000, and at the end of January, the actual was \$1,751,908, as compared to \$2,434,433 at the same time last year. He noted that again this represents a decline in budgeted revenues, a reduction of \$750,000.

Mr. Wenger shared a positive note, explaining that Complex revenue is increased for FY 09 due to the arrival of the Goffstown Court, which was partially funded last year and will be fully funded this coming year. Additionally, the revenue from the Women's Prison was increased to \$200,000. The Nursing Home has continued to be a strong performer on the revenue side of the budget.

Mr. Wenger addressed where the County stands as it looks to the future in light of the turbulent economic times with the prospect of increasing expenses and declining revenues. He presented two questions for the Board's and the Department's consideration as the County goes forward. Mr. Wenger noted that the first question is, as we go forward in our budget discussions, how do we account for the surplus gap? He explained that in FY 09, \$6,393,980 of surplus funds was used to balance the budget and reduce the impact to the taxpayers. The result is a reduction of the projected surplus to 14 million dollars at the end of the current fiscal year. Based on that assumption, going forward, the County will need to find 6 million dollars to maintain a budget with no tax impact. If 6 million dollars is taken out of surplus again in FY 2010 that should leave the County with a projected surplus of approximately 8.5 million dollars, which places the County at a point where it should have concerns about the surplus.

Mr. Wenger offered that at this early date, based on available information, he would project a surplus in the range of 15 to 18 million dollars at the end of the year. At this rate, the County has two, or possibly three years at most, of available surplus to support this type of budget.

Mr. Wenger then raised his second question relative to the difference between the budgeted surplus of \$14,843, 687 and the projected surplus of \$15,000,000 to \$18,000,000. His question was: "How can it be that we are budgeting six million dollars in surplus, and not using it?" He asked everyone to consider how the County, as it moves forward, chooses to address the fact that despite designating a significant

amount of surplus to balance the budget, the surplus has increased significantly over the past ten years, and for the past three years has remained relatively stable. He noted that looking at past budgets, there appears to be a consistent surplus in the salary line. He suggested that the emphasis placed on the salary sheets may be contributing to this. He summarized by saying that the County has a significant surplus, which can be a very good thing; the challenge is to address the amount of the surplus. It is important to review the monies the County is using from surplus; it can't be counted on for the long term.

Comm. Clemons asked if it were natural for Departments to budget salaries high. Mr. Wenger expressed his belief that too much reliance and time is given to the salary sheets, noting they are a good reference to start the process, but it is also important to look at historical data. He noted that it is the budget line that is approved, not the salary sheets, and the County Departments have the opportunity to look at it in a different way, and perhaps take a few risks to reduce the budget a little, with the understanding that it may be necessary to come to the Board later for a transfer; it is important to look at the County budget as a whole.

Comm. Pappas opened the discussion to include the Departments' input, and asked the Departments to share their concerns with the Board, and to discuss any unusual expenses or challenges for the coming fiscal year.

Mr. O'Mara reviewed the budget reductions made last year in his salaries lines. He agreed with logic outlined in the budget manual, where if a Department is asking for a position in June or July, and it isn't filled until July, consideration could be given to budget the position for ten months because that is when the person will actually be in place. He noted that he could review potential retirees and consider the lower wages of replacements.

Challenges at the DOC include the cost of the rubber roof that is 20+ years old, and leaks from time-to-time. He noted that every time someone goes on the roof to repair a leak, a new leak is created from being on the roof. The DOC is doing an analysis of the roof to determine if it can go another year. He noted that the DOC will often budget a large project over a two-year period to reduce the impact on any one year.

Mr. O'Mara also noted that there is an issue with the HVAC system at the DOC, noting that \$156,500 is budgeted in the current fiscal year that the DOC was unable to spend, because the final bid came in higher than the budgeted amount; it came in at \$210,000. In this case, the DOC will only be asking for the difference of \$53,500 in the FY 2010 budget.

With respect to the County Complex, Mr. O'Mara informed the Board that the addition of the Court on the second floor of the Bouchard Building has increased the amount of heat that reaches the roof, and it has created issues with ice dams and huge icicles that are a hazard. Discussion has been held to consider a solution to the Bouchard Building roof issues as well as other flat roofs with their resulting problems. He further noted that consideration is being given to replacing or re-pointing the chimney for the boiler in the rear of the Bouchard Building.

Comm. Clemons noted that in a recession, it is likely that the County could get good prices for repair work, which in turn would help the taxpayers as well as local contractors. He noted that he would be more than willing to look at these improvements as a Commissioner.

Mr. O'Mara suggested that with the Master Plan group might consider a system that would involve the rotation of large capital projects each year, a list that the Board and Delegation could agree on, and asked about the possibility of starting capital reserve accounts where funds could be tucked away each year. He

noted that it forces everyone to plan and defers the liability until the project is approved. Another direction he suggested was that of Bonds, he wondered if the County might consider that.

Comm. Holden suggested that the Master Plan Charrette would first look at the County's needs, and secondly look at the how the land is used as well as how the County could generate additional income. She agreed that a Plan for the County could be developed, and noted that it will happen if everyone can work together. Comm. Clemons suggested that in the plan, projects could be rated by priority.

Mr. Wenger noted that Mr. O'Mara raised several points and noted his agreement with the need for a discussion relative to the use of the surplus. He noted that because of the County's approach to the surplus, it has avoided the need to borrow for about eleven years. He noted that the surplus can be used to reduce the impact of the budget; it can also be used to establish a capital program.

Mr. Wenger informed the Board, that by statute, the County can establish a Capital Reserve Fund where capital monies can be put into a specific fund for a specific purpose; the money is used for the assigned purpose; when the work is done, the remaining money is returned to the general fund. In a municipality, you look at all the needs, prioritize them, and put them into a plan going forward, so that as a budgeting tool, the municipality can determine what it needs for capital improvements in a given year to address the projects, as prioritized. He suggested that a consideration should be given to whether the establishment of capital reserve accounts is the right choice for the County.

Mr. Wenger suggested that another option would be to make long term investments that would generate income for the future, such as putting the Goffstown District on the second floor to generate income. He suggested that the County might wish to consider what it wants to use its surplus for, and how it can most effectively use it into the future to address budget concerns and long term maintenance.

Mr. O'Mara asked if the Board considered doing something with the remainder of the second floor and the building in front of the Bouchard Building. A discussion followed.

P. Coughlin was recognized. She addressed her main concern, the roof replacement at the Registry. She is concerned about the timeline when the roof will be done so she can also address interior repairs to the rooms.

Ms. Coughlin noted that there are approximately 200 books that need restoration work. She noted that over the last ten years, only 97 books have been restored, and there is a need to restore many more. She does not expect any increases, except the normal salary increases. On the revenue side, she noted that February copies were up 20%, and the number of documents is up 3% over last year. She is hopeful that things progress and that the Registry can end the year the same as the previous year.

K. Rickrode represented the Conservation District. She noted that she does not anticipate any challenges and reported that her office space in Milford is covered by the federal agency, USDA.

Dan Reidy indicated that he will present a budget without any increases with the exception of any salary increases that may occur. He noted that the Coop anticipates a savings with its newsletter because it is in the process of converting it to an online newsletter, although there will be some printed copies because not everyone has email. Mr. Reidy noted that while the Coop does not have revenue, it has brought in over one million dollars in grants since the year 2000, which benefits the County.

Mr. Moorehead was recognized. He informed the Board that challenges at the Nursing Home would include maintaining its marketability, such as with rooms that share bathrooms, and need to be filled with a person of the same sex. He noted that one goal would be to increase the total census, noting that there is

a challenge with the skilled unit because residents typically turn over within 60 days, so there is a constant challenge to stabilize the number of residents at 280 or 285.

Mr. Moorehead suggested that it would be worthwhile to consider wind power, and the conversion of the heating system to find alternative energy at a savings. He further explained that the air-conditioning at the Nursing Home is an issue, it is segmented and he noted that there are many individual units in place; central air-conditioning to cover the whole building would be a better solution, but it would be a costly project that would require all new ducts. He further indicated that Quality of Life projects would continue to be considerations for the Nursing Home. Mr. Moorehead informed the Board that consideration might be given to subcontracting services such as physical therapy, which could save dollars.

Mr. Wenger noted that in FY 09, the budget for electricity across the County was \$635,000, and for fuel, it was \$656,000, a combined total of 1.29 million dollars. He noted that consideration could be given relative to whether there is a willingness to invest in alternative energy so that in the long term, those expenses could be reduced. There was a suggestion that additional County building space could be renovated and rented out.

M. Rusch reported that the budget orientation will be held for the benefit of the new members. She thanked Mr. Wenger for the packet he assembled, and noted that it would be very helpful. Ms. Rusch informed the Board that she does not anticipate any changes in the Delegation office. Comm. Holden asked if there were any way to lower Delegation expense. Ms. Rusch responded that she was not sure if that was possible, and indicated that there had been good attendance at the meetings and that the mileage expense had been higher than anticipated. Comm. Holden noted that the RSA only requires quarterly meetings, and the last meeting lasted only an hour and five minutes; she asked if it were possible to reduce the number of meetings. Ms. Rusch indicated that that was discussed at some point and the Executive Committee agreed at that time that it needed monthly meetings because one cannot anticipate what will come up. Comm. Holden noted that Rockingham County has a part time Delegation Coordinator, and they meet quarterly.

M. Wageling informed the Board that she does not anticipate any changes; she has looked at salary lines and other lines to see what might be cut. She further noted that she has no issues other than the anticipated Hillsborough County Superior Court North move to Nashua. She noted that there will need to be a more specific plan in place relative to the number of employees and all the things involved with the employees, and the move. She asked for further direction from the Board relative to what it wants her to do regarding the move. Ms. Wageling informed the Board that she believed that Temple Street might hold 4 to 6 people, at best; she indicated that she looked at the basement at Spring Street and noted that she believes that the Clerk of Court seems to want that space for records storage.

Ms. Wageling indicated that security remains a concern and reported that an incident occurred recently when a man attempted to bring a loaded firearm into the building; it was handled very efficiently by the bailiffs. She indicated that the man had a significant issue with her, and with the Catholic Church. She explained that there is glass protecting her staff; however, everyone in the building was very upset, particularly her staff and herself. She informed the Board that she is quite concerned about safety issues because one never knows when the next person will attempt to enter the building with a loaded weapon.

Sheriff Hardy agreed that the court officers did an excellent job last week with the individual who attempted to enter Chestnut Street with a gun secreted in a briefcase, and noted that the man got extra scrutiny because of his history. Sheriff Hardy informed the Board that the ones that concern him are the ones who come into a space with the intent to commit violence, or create a violent situation that aren't getting extra scrutiny because they do not have a history.

Comm. Clemons asked about the location of the County Attorney's office when it moves. Ms. Wageling noted that she and her staff spend a great deal of time waiting around. With the current Court, it is understood that the County Attorney's staff can return to its offices to get work done, and they will be called when it is time to appear. She explained that if the County Attorney's office were located away from the Court, much more time and expense would be involved because the staff would have to wait until being called, versus returning to work while waiting to be called. She noted that having the County Attorney's staff located in the building makes the Court run smoothly. She indicated that she has tried to bring to the Court's attention the advantage of keeping her office in the same building, but noted that the Court is more focused on its own staff, the judges, and their needs.

Sheriff Hardy noted that he would agree with Ms. Wageling relative to the move to Nashua. He noted that the southern District Court is used to having its staff and is very particular about where they are; he noted that she is "caught between a rock and a hard place." He noted his agreement with Ms. Wageling that the County Attorney's staff has to have a place within the proximity to the Courthouse for hearings and convenience. He recommended that the County take another look at finishing security enhancements at Temple Street that have been considered, and that the level of security is increased in the building that is safe for the County Attorney's staff.

Comm. Clemons asked if a portable unit brought near to the Court could be used. Sheriff Hardy indicated that he was not comfortable with that option, and would prefer securing a building, such as Temple Street. P. Coughlin indicated that there was an incident at the Registry yesterday where a woman was banging her cane against the windows just prior to opening, which scared the employees and staff; she indicated that it would be nice to have some type of security because the Registry is open to the public. Sheriff Hardy suggested putting a working group together with the ones in the building, and with Ms. Robinson, who deals with the Temple Street infrastructure issues, and see what it can do to address issues. He suggested that perhaps at the Board's next meeting, it might discuss a formal plan of action relative to the County's direction.

Mr. Wenger noted that Ms. Wageling has done an amazing job at keeping the County at the table with the State in the discussions relative to the Court's move. He noted that one thing that Ms. Wageling reported today that is of concern, is that the Court may move the County Attorney's office out of the building. He indicated that he has been expecting that and noted that it is time to come up with a plan of action the County will take that will address the issues facing the County Attorney, the Sheriff's Office, and most likely, the Registry of Deeds so that the County is prepared to move forward. He suggested that perhaps at the next meeting, the parties could discuss a plan, and further suggested that perhaps it is time to invest in some outside help, noting that the Temple Street building is a very large, but inefficient building.

E. Robinson reported that the Federal Medicaid participation rate was raised by 6.2% in the Stimulus Package, noting that the County is currently paying 100% of the non-Federal share for Medicaid for long-term care for the elderly. Ms. Robinson indicated that she is holding the current bill, explaining that if the County deducts 6.2% from what is currently owed, that represents \$177,000. She noted that the Stimulus Package rate increase goes back to October, 2008, and it continues to December, 2009, so it has a significant impact on the current FY 09 budget; it is a reduction of approximately \$1,575,000. She noted that in respect to the Stimulus Package, the County has already overpaid by \$529,000 in bills from October, November, and December, 2009. She asked the Board if she should pay the January bill, which based on the reduction, would include an overpayment of approximately \$177,000. She recommended deducting the \$177,000 from the January bill.

Ms. Robinson reported that the roof specialist is looking at some new products for the roof and is nearly finished with developing the bid requirements. She has the names of recommended vendors and is planning to get the bid out as soon as possible. She noted that the project will be done in two phases, one

will be the roof replacement, and the other will be interior repairs at the Temple Street location. Ms. Robinson reported that she will be working with the Sheriff's Department relative to security for the building.

Ms. Robinson informed the Board that a challenge her Department will face is the continuation of the Family Intervention Program with the potential reduction of incentive funds; noting that that budget is being reduced. She noted that the families that her Department is working with are increasingly vulnerable; there are more referrals based on neglect. She informed the Board that every case worker has a full case load; there are two free interns who have been a benefit to the program because this increases the number of families that can be served. Ms. Robinson reported that her Department laid off the staff whose jobs were scheduled to be terminated the end of February; their last day was February 27<sup>th</sup>.

Comm. Clemons asked about the cost of the roof, and which budget that would fall under, to which Ms. Robinson explained that while the cost is unknown at this point, it would come out of the Temple Street budget; there will need to be a transfer made to cover the cost.

Comm. Holden asked Ms. Robinson to prepare different scenarios for the budget and asked if she would separate out the Family Intervention Program/social workers. Ms. Robinson agreed to provide backup documentation that would separate that program.

Carolyn Kirby observed that today's meeting is a reminder to her of how much talent was in the room and how well everyone works together when given the opportunity to do so. She informed the Board that any consideration given to renting out County buildings should also allow for consideration regarding the resulting change to the tax structure of the complex. She also cautioned Departments from using subcontractors, noting that before considering that option, the collective bargaining contracts should be reviewed to determine if those positions are covered in the contracts. She mentioned that she agreed with Mr. Wenger relative to the salary sheets, and indicated that she also feels that there is way too much reliance on the salary sheets, and noted that the bottom line in each Department is what should be looked at. She noted that the sheets are important in that they identify positions that exist in the County. She suggested that if the County could streamline how it identifies what positions exist in each Department, and if that could be improved, it would be helpful to everyone, and there would not be as much reliance on the Salary Sheets. She re-iterated that the Salary Sheets are not a part of the budget, they are purely informational.

Sheriff Hardy informed the Board that the work load has increased in all areas of the Department, some significantly. He explained that many increases are relative to the increased stresses people face in the current economy, which results in increases in family issues, evictions, and domestic violence throughout the County. Sheriff Hardy reported that the good news is that revenues are up; the sad news is the cause of these increases. He noted that his Department will continue to work with the Board and other Departments in developing the budget.

C. Roach addressed the Board, and indicated that his Department is trying to keep a level budget. He noted that once the current phone switchover had taken place for all Departments, he would welcome an opportunity to explore finding a buyer for the existing phones and phone system to generate additional revenue and get some of the cost back for the new system. He noted that there have been agencies that suggest that there is value in the existing system; the County will need to determine how to accomplish this within the bidding requirements.

G. Chandler addressed the Board relative to her Department, and remarked that the renovation in her office, and purchase of new equipment was completed in this current year, so this line can be reduced in FY 2010. She noted that the expense for job advertising is anticipated to be lower next year because she

will be spending less on classified advertising; she had had good success with posting jobs online at JobsinNH.com, and noted that that is where most of the County's job applicants are coming from now.

Mr. Wenger informed the Board that he anticipates that his Department will be the same.

Mr. Wenger addressed some of the things done over the years that have had a positive impact on the County's budget; he explained that the County's health insurance budgeted expense this year was 5.5 million; and noted that in FY 05, the budget for health insurance was 5.7 million. He noted that the County Departments should be complemented for that success. He further explained that the County's liability line has only increased 10% over the past nine years, from \$963,000 in FY 03 to \$1,000,000 this year; the County manages some high risk businesses, and he noted that the County has done well in this respect.

Mr. Wenger provided an update relative to the new telephone system and indicated that the majority of the delays and problems are due to ongoing difficulties at Fairpoint. He reported that the Bouchard Building cut over last week; it is anticipated that Nashua will be next, then Manchester, then lastly the Nursing Home. He noted that he will be coming to the Board for transfers as we approach the budgeted amount in different departments.

He informed everyone at the meeting that he has the Salary Sheets for them; they were printed yesterday afternoon.

Comm. Pappas thanked everyone for attending, and noted that the Board is looking forward to working with everyone as the budget process moves ahead. The Board discussed the payment Ms. Robinson mentioned earlier with her, and determined that it would withhold the portion due back to the County under the Stimulus Package.

Comm. Pappas suggested that the Board recess briefly to stretch, then return to Non-Public session to complete its discussion of the earlier requests

**Motion:** To briefly recess the meeting. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

The meeting recessed and 11:55 a.m.

The Board moved out of recess and considered a motion to return to Non-Public session at 12:12 p.m.

**Motion:** To move out of recess and consider a motion to return to Non-Public session. By Comm. Holden, second by Comm. Clemons. Motion carried.

**Motion:** To return to Non-Public session under RSA 91: A-2 I (b), Consultation with legal counsel, and under RSA 91: A-3 II (c), as requested earlier in the meeting. By Comm. Holden, second by Comm. Clemons. Pappas-yes; Holden-yes; Clemons-yes. Motion carried.

The Board returned to Non-Public session 12:13 a.m.

The Board continued its discussion with Supt. O'Mara and Attorney Kirby, Legal Counsel, relative to advice regarding an issue with the State; the Board then met with Register Coughlin and Attorney Kirby relative to litigation, and lastly, the Board met with Mr. Wenger regarding collective bargaining.

No action was taken during Non-Public session.

The Board moved out of Non-Public Session at 12:53 p.m. and returned to its regular meeting.

**Motion:** To come out of Non-Public Session. By Comm. Holden, second by Comm. Clemons.  
Motion carried.

Comm. Pappas asked the Board if it had any further motions to present relative to discussion during the Non-Public session.

**Motion:** To authorize settlement authority in the case discussed during the Non-Public session.  
By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden noted that the Board discussed the Fact Finder's report during the Non-Public session, but did not make a decision. The Board agreed to give the matter further consideration individually. Comm. Holden noted that the Board will rule on this shortly, and explained that it did not want to rush this decision.

#### **10. Adjourn**

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

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

The meeting adjourned at 12:55 p.m.

*(SIGNED 3/18/2009)*

---

Comm. Michael Clemons, Clerk  
Hillsborough County Board of Commissioners

---

Date