

Regular Meeting of the
Hillsborough County Board of Commissioners

March 8, 2007
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, L. Movsesian, G. Wenger, B. Moorehead, E. Robinson, J. O'Mara, and C. Pappas.

Also present: T. Flygare

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 3:45 P.M. Comm. Holden led those present in the Pledge to the Flag.

3. Christopher Pappas, Treasurer

The Board welcomed C. Pappas, County Treasurer. Mr. Pappas informed the Board that he was present to nominate Donna Soucy of Manchester for the position of Deputy Treasurer. He informed the Board that D. Soucy was a State Representative for 3 terms, served as Clerk and Vice Chair of the Executive Committee, is an Alderman, and a member of the School Board in Manchester. He also noted that she was the Legal Counsel for the State Banking Department and she would bring to the table the qualities necessary to execute her duties.

Motion: To approve the nomination of Donna Soucy of Manchester as proposed by the Treasurer, Chris Pappas, to assume the position of Deputy Treasurer of Hillsborough County. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

The Board thanked Treasurer Pappas for his nomination. C. Pappas excused himself from the meeting.

2. Tom Flygare – Negotiations

Motion: To go into non-public session under RSA 91-A:3II(e). By Comm. Holden. Comm. Pappas, yes; Comm. Holden, yes; Comm. Clemons, yes. Motion carried.

The Board went into non-public session at 3:48 P.M.

During the non-public session, the Board discussed on-going negotiations with T. Flygare.

Motion: To come out of non-public session. By Comm. Holden. Comm. Pappas, yes; Comm. Holden, yes; Comm. Clemons, yes. Motion carried.

The Board came out of non-public session at 4:22 P.M.

4. County Attorney

M. Wageling requested to meet with the Board in a non-public session under RSA 91-A:3II(a) to discuss a personnel issue.

Motion: To go into non-public session with the County Attorney under RSA 91-A:3II(a) personnel. By Comm. Holden. Comm. Pappas, yes; Comm. Holden, yes; Comm. Clemons, yes. Motion carried.

The Board went into non-public session at 4:22 P.M.

Motion: To come out of non-public session. By Comm. Holden. Comm. Pappas, yes; Comm. Holden, yes; Comm. Clemons, yes. Motion carried.

The Board came out of non-public session at 4:28 P.M.

Motion: To move the appointment of Catherine M. Devine as an Assistant County Attorney on the recommendation of Marguerite Wageling, and with the approval of the Attorney General to give her approval of her appointment. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

8. Department of Corrections

Census

J. O'Mara was recognized. He informed the Board that the census at the facility on March 1st was 561. He noted that of the 561, 507 were men, of which 181 were sentenced and 326 were being held pre-trial. He noted that on the women's side of the house, 21 were sentenced, and 33 were pre-trial for a total of 54 female inmates.

Bid # FY07-69: 2 Lexan Cell Doors

J. O'Mara presented bid # FY07-69 for 2 Lexan Cell Doors with a request to waive competitive bidding under RSA 28:8-e,V. He informed the Board that Willo Products of Decatur, AL is the manufacturer of the existing doors and will fabricate the new doors to match the existing doors so as not to compromise the warranty.

Motion: To approve bid # FY07-69 for 2 Lexan Cell Doors to the Department of Corrections, the total amount of the bid was \$4,654.00 to Willo Products of Decatur, AL and to request to waive the competitive bidding pursuant to RSA 28:8-e,V; the vendor is the manufacturer of the existing doors and will fabricate the doors at the Department of Corrections to match. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Request for use of County Land by SNHS-Community Gardens Project

Mr. O'Mara presented the request for the use of County Land by the SNHS-Community Gardens Project. He noted that this is an annual request to use the property adjacent to the Police Department known as Field G for a community garden project. He noted that all of the requirements for insurance are attached to the request. He noted that upon the Board's approval, the request would be forwarded to the Executive Committee for its consideration at its next meeting.

Motion: To approve the use of County Land to Southern New Hampshire Services for the Community Gardens Project, noting the County has been doing this for a number of years and the utilization is from May 29th to September 30th; they have the proper insurance agreements. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Mr. O'Mara informed the Board that he had some matters to discuss regarding old/new business including an update on the air conditioning system renovation.

J. O'Mara informed the Board that the legal notice for the DOC's air conditioning system appeared in the newspaper March 1st. He noted that there was a bidders' conference held on Tuesday, March 6th, which was

attended by 7 prospective bidders. He noted that there was a walk-through and an analysis of the system and the bids are due on Monday the 12th, and by the Board's next meeting he will present a budget transfer regarding those bids. He noted that the only potential delay could come with Legal Counsel's review of the arguments, given the complexity of the bid. He advised the Board that the department is moving forward with this project and will look for the funds within the existing budget.

Mr. O'Mara informed the Board that during its last meeting it was noted that the Department of Corrections will be presenting requests for position changes or new positions. He advised the Board that with its approval, he would like to present these changes as a resource proposal within the budget process.

5. Nursing Home

Census

B. Moorehead was recognized. He distributed a corrected census to the Board, noting that the previous census had a typographical error. He noted that the census at the facility on March 1st was 277 of which 211 were Medicaid residents, 39 were Private Pay, 27 were Medicare Part A residents. He noted that the census as of today was 280 and the Private Pay and Medicare Part A census continues to be strong.

Mr. Moorehead informed the Board that there continues to be a virus lingering in the building. He noted that it has reemerged in the B3 Skilled Unit, which has halted recent admissions. He noted that it could be cleared up as early as tomorrow.

Medicare Enrollment Application

B. Moorehead informed the Board that the Medicare Enrollment Application began in 1998 and applied to new Medicare providers, all other providers were grandfathered in and as of 2007 are now required to submit applications. He noted that the application is a document that allows the Federal Government to know where medical records are stored, who has ownership and interest in them, the type of facility it is, the State licensure and certificate information, and things like CLEA Certification regarding lab work done in-house. He stated the application also allows the Federal Government to know who manages the day-to-day operation and who the authorized representative of the County is, which is the Chairman of the Board. He noted that he has been designated as the Delegate Officer and is responsible to notify the entity of any changes made after the application is submitted, which would be done through a re-application process to the Federal Government. He presented the Board with a draft motion and noted that it had been reviewed by Legal Counsel. He noted that the Board assumes responsibility if there is ever a time when it is determined through audit that the Nursing Home would have been overpaid by Medicare. He noted that in the case of an overpayment, the amount would have to be paid back to the intermediary.

Motion: To approve Hillsborough County Nursing Home's Medicare Enrollment Application and authorize the Chairman of the Hillsborough County Board of Commissioners to sign on Behalf of the Board and additionally to move that the Board appoint the Chairman of the Hillsborough County Board of Commissioners as the Authorized Officer and the Hillsborough County Nursing Home Administrator as the Delegated Officer with authority to sign the application and to further appoint the Chairman of the Board as the individual with managing control of the Nursing Home. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Comm. Pappas inquired how frequently would this application need to be submitted, to which Mr. Moorehead stated that it would need to be submitted once every 4 years.

B. Moorehead presented bid # 21-2007: for the purchase of ceiling tile and grid replacements for the A-1 and A-2 Units. He noted that they would be the last units in the building that would need to have the ceilings lowered. He stated that the lowest responsible bidder was Granite State Acoustics of Bedford, NH for \$18,180.60.

Motion: To approve bid #21-2007 for 301 Cases of Ceiling Tiles and Grids to Granite State Acoustics of Bedford, NH for a total cost of \$18,180.60 noting that they are the lowest responsible supplier and bidder. By Comm. Holden, second by Comm. Clemons for discussion.

Comm. Clemons inquired who would install the ceiling tiles and grids, to which Mr. Moorehead stated that the Nursing Home Maintenance Department would install them. A discussion followed.

Motion carried unanimously.

Bid # 23-2007: Vanity Sinks

Mr. Moorehead presented bid # 23-2007 for Vanity Sinks for bathrooms in the A-1 and A-2 units, and this will complete this renovation project. He noted that all of the other vanities in the building have been installed. He noted that the Maintenance Department would install the Vanities. He noted that the lowest responsible bidder was Rivco Riverside Millwork Co. of Nashua, NH and added that Standard of New England in Portsmouth was the lowest bidder but they did not meet specifications. He stated that he is recommending Rivco whose bid was \$21,984.69.

Motion: To accept bid #23-2007, item: Vanity Sinks to Rivco Riverside Millwork Co. of Nashua, NH for a total bid of \$21,984.69. By Comm. Clemons, second by Comm. Holden who noted that they are the lowest responsible supplier meeting the specifications. Motion carried unanimously.

Bid # 15-2007 (Re-Bid): Folder/Cross-Folder

B. Moorehead informed the Board that this bid is a re-bid of # 15-2007 for the Sheet Folder as discussed at the Board's last meeting. He noted that new specifications were sent out to obtain bids for a folder that would fit into the available area. He noted that the lowest responsible bidder was Yankee Equipment of Barrington, NH for \$36,397.00 and the budget for the item was \$45,000.00.

Motion: To approve bid #15-2007, a re-bid for a Folder/Cross-Folder to Yankee Equipment of Barrington, NH for a total cost for the folder \$36,397.00, noting that they are the lowest responsible supplier and bidder. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Mr. Moorehead informed the Board that when the Nursing Home buys a piece of equipment that can be capitalized, the Nursing Home recovers the bulk of that cost through Medicaid through depreciation, which depends on the life of the asset. Comm. Clemons inquired how long the depreciation process takes, to which Mr. Moorehead stated that it depends on the asset and that it goes by the Hospital Association Guidelines.

Mr. Moorehead requested to meet with the Board in non-public session under RSA 91-A:3 II(a) regarding a compensation issue.

4. Business Office

Approval of Payroll Register

Motion: To accept the Payroll Register dated 2/2/2007 in the amount of \$998,968.87 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Approval of Sheriff's Extradition Vouchers:

The Board considered the Sheriff's extradition vouchers presented for approval.

Motion: To approve Extradition Vouchers dated from 9/5/2006 to 2/8/2007, the total amount is \$12,698.52:

9/5/2006 in the amount of \$1,095.50,
11/16/2006-11/18/2006 in the amount of \$3,147.75,
12/11/2006 in the amount of \$377.44,
12/12/2006-12/14/2006 in the amount of \$3,351.75,
12/14/2006 in the amount of \$416.79,
1/5/2007 in the amount of \$2,441.92 and
2/6/2007-2/8/2007 in the amount of \$1,867.37

for total extradition vouchers of \$12,698.52, noting they have been approved by the County Attorney. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Telephone Poll

Motion: To approve the Telephone Poll conducted on Tuesday February 27, 2007 in response to an inquiry from the NHAC regarding participation in the appeal of February 1, 2007 Nursing Home rates: to authorize Mr. Moorehead to execute the participation form authorizing the NHAC and Devine, Millimet & Branch, P.A. to represent the interests of the Nursing Home in the administrative appeal of the February 1, 2007 Nursing Home Rates. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Bid # HR 2007-1 – On-Line Advertising

G. Wenger presented bid # HR 2007-1 noting that the County is looking to better place advertisements for job postings. He noted that the County is currently in a two-week trial period with JobsInTheUS.com, which has been very successful and that he hopes the County would continue to use their service. He noted that one of the Nursing Home positions that was posted using this service generated about 500 hits for that posting. He informed the Board that the County will be posting under JobsInNH.com from 3/1/07 to the end of the fiscal year.

Motion: To approve bid# HR2007-1 for web advertising to JobsInTheUS.com in Westbrook, ME, a unit price of \$1,600 for on-line advertising from March 1, 2007 to June 30, 2007 including unlimited job postings noting they are the lowest responsible bidder meeting the specifications. By Comm. Holden, second by Comm. Clemons.

G. Wenger noted that the March 1st start date is the beginning of the two-week trial period and this bid is to continue using this site after the trial period is over.

Motion carried unanimously.

Transfer # 2007-07: Nursing Salaries to Admin. Bed Assessment

Motion: To transfer from the Nursing Salaries & Wages line 7010 the amount of \$141,837 to the Administration Bed Assessment in the amount of \$141,837. By Comm. Holden, second by Comm.

Clemons.

Comm. Holden noted that the facility's Room and Board Revenues have been running above budget, and at the time the FY07 budget was put together, the Nursing Home and Board did not know that Pro-Share revenues would be included in the Bed Tax expense calculation. Mr. Moorehead noted that this is a positive situation.

Motion carried unanimously.

Transfer # 2007-08: NH Rehab Salaries to Maintenance Sewer Expense

Motion: To approve budget transfer # 2007-08 to transfer from Rehabilitation Salaries & Wages to Maintenance Sewer Expense the amount \$15,500.00, the reason is the Town of Goffstown raised sewer rates after the budget and the rates became effective 7/1/2006. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

9. Delegation

G. Wenger informed the Board that in its package is a request from the Chairman of the Delegation for a cell phone, for the Delegation Coordinator. He informed the Board that the County currently has 37 approved cell phone that have all been distributed, and to include an additional cell phone a motion would need to be made by the Board. He noted that he had not looked at the financing behind the request. Comm. Holden suggested taking this request under advisement to provide time to research the financial implications. Rep. L. Movsesian informed the Board that she, Chairman Essex, and Vice-Chairman Pilotte met with M. Rusch to discuss why the cell phone would be needed and all agreed that she did need the cell phone. She noted that M. Rusch has been using her personal cell phone for business calls. Comm. Holden noted that taking this under advisement does not mean the Board would deny the request, but that time will be needed to research the financials considering there are 36 other cell phones. She noted that this could be discussed at the Board's next meeting. A discussion followed. Comm. Clemons inquired if there is an immediacy to the request, to which L. Movsesian stated that Marcia has been using her personal cell phone to coordinate with the frequent meetings and that the Delegation has the funding for the cell phone available in its budget. Comm. Holden noted that the County has one cell phone contract and the provider of the contract will need to be contacted to assess the potential costs for an additional cell phone. Comm. Pappas noted that this matter could be further discussed at the Board's next meeting on March 22nd.

Human Services

E. Robinson was recognized. She informed the Board that she had no matters to discuss.

10. Old/New Business

Telephone Project

Mr. Wenger informed the Board that he and the CIS Department are working on assessing the telephone needs for the County and will be coming forward with a proposal for the purchase of a new telephone system. He updated the Board on the progress of the assessment noting that the assessment includes the review of the existing phones, the selection between phone products, the needs of the supporting structure for the phone system, and the specific phone needs for the Departments. He noted that discussions would be held with the Departments to evaluate what their needs will be. He noted that an additional part of the process would involve obtaining assistance to determine what the entire infrastructure is at this time. He noted that with the exception of the Bouchard Building, the infrastructures for the County buildings are not known. He noted that following the evaluation of the buildings, the County would have to go out to bid to buy the system. He stated that the system that is being looked at is a Voice-Over-IP system, which will integrate the voice system with

the data system. He noted that with this project and connecting the phone and data lines, security issues will have to be addressed. He informed the Board that this project would produce some savings because it will eliminate the need for some copper lines and will also eliminate the long distance charges to Nashua. He noted that there would be significant investment of approximately \$300,000-\$400,000 required.

SNHS- Elderly Housing

Comm. Pappas noted that D. Lozeau made a presentation to the Board at its last meeting regarding elderly housing. She noted that she received an email from D. Lozeau requesting a meeting with Mr. Wenger and a member of the Executive Committee. Comm. Holden noted that the meeting request is premature, the County has not had an opportunity to identify the available land and the process needs to come further before a second meeting. She noted that more meetings could be made at a later date. A discussion followed.

Mr. Wenger informed the Board that his understanding of the meeting request was to sit down to discuss what each party has for requirements. He noted that one thing that could be discussed could be whether or not a preliminary agreement would meet SNHS's needs. Following a discussion the Board agreed to coordinate a preliminary meeting for March 22nd at 9:30 A.M. B. Moorehead inquired if he would be involved in the meetings due to the continuation of care that was proposed by D. Lozeau. Mr. Moorehead suggested that the County might wish to look into providing its own assisted living and independent living as well. Comm. Clemons inquired if HUD would assist the County in building the assisted/independent living building, to which Mr. Moorehead stated that they could go either way for the independent living piece, but probably not for the assisted living piece. Comm. Clemons inquired if the County would be the broker rather than SNHS, to which Mr. Moorehead replied that the County would be the broker. Mr. Moorehead stated that the benefit to SNHS doing it would be that they have built these buildings so many more times, but that Strafford County decided to build the facility rather than going through SNHS.

Budget Discussion

County Commissioners

Comm. Holden noted that in the past each Commissioner submitted information for their budget. She noted that the deadline for the budgets is on Thursday, March 15th. Mr. Wenger noted that the Business Office would be delivering the budgets to the Board the day of the Board's next meeting. Following a discussion the Board agreed to submit its budget information by the 15th. Comm. Holden noted that the Federal Mileage Rate has gone up to 48.5¢ per mile. Mr. Wenger recommended to increase the Recruitment and Retention line to offset the expenses of the former Canteen Fund line. He noted that the former Canteen Fund line was funded by the revenues from the vending machines.

County Complex

Comm. Holden noted that Mr. O'Mara left the meeting and was not available to speak to the Board regarding the County Complex budget.

Comm. Holden inquired if there was any further information regarding the Temple Street budget. E. Robinson noted that the elevator renovation is the main issue that will be included in the budget.

Mr. Wenger noted that the second floor project remains in limbo. He requested the Board's permission to go back out to bid for architectural services. He noted that there is \$700,000 in the Contingency line put aside for the purpose of renovating the second floor, east wing of the Bouchard Building for the Goffstown District Court. He noted that discussions have been going on for years. He stated that he would initially confirm that the Court System is still interested, which he believes they still are. He noted that the District Court has provided 2 sets of drawings to the Board, the first was a drawing of a phased project, and the second was a

drawing with fully developed plans. He noted that the preliminary drawings are not architecturally stamped and they only address the extent of the facility that they would be occupying. He noted that the County would be responsible for getting the drawings architecturally designed into the facility, stamped and to address all of the issues required to incorporate their design into the second floor of the building. He noted that stairways, access, egress, and security issues may also have to be addressed.

Motion: To authorize the County Administrator to go out to bid for architectural plans for the second floor of the Bouchard Building. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Mr. Wenger noted that the purpose of this motion is for the incorporation of the Court System in the second floor of the Bouchard Building. He noted that once the County obtains the architectural plans there will a process it would have to go through for review and final approval. A discussion followed.

5. Minutes

February 22, 2007

Motion: To approve the minutes of February 22, 2007. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Comm. Holden noted that on March 12th there will be a Finance Committee meeting at PSNH from 4:00 P.M. to 7:00 P.M. She stated that she would attend the meeting of the Finance Committee to monitor the testimony regarding Nursing Home issues. Comm. Pappas noted that she would be testifying on behalf of the Arts Council. Comm. Pappas inquired if there was any issues the County would need to testify for, to which Comm. Holden noted that there was a memo that came out regarding the reduction in the line for nursing services at the Nursing Home. She noted that a testimonial letter could be written.

C. Holden noted that on Monday at 3:00 P.M. a meeting would be held regarding the Pandemic Flu at Comm. Stephen's office. She noted that the MOU did not have a lot of detail in it and it asked the County to sign the agreement with the Department of Health and Human Services and the Department of Safety for the purposes of contributing funds. She noted that at the previous County/State Finance Committee meeting, the County's cooperation was requested. She stated that there are 17 areas in the State for emergency management and Town Directors are already working, have table-talk exercises, MOU's with the individual communities and it seems that there will be a dual system with DHHS and John Stephens and the Counties, and then the other groups. Following a discussion the Board agreed to take the matter under advisement.

G. Wenger informed the Board that there is a meeting on Friday at 9:30 A.M. at the Local Government Center regarding the committee reviewing the Retirement System. He noted that it was a committee requested by the Legislature to review the Retirement System and to make recommendations. He stated that the Committee is meeting to discuss what their recommendations will be regarding the Retirement System. He noted that it is his understanding that the impact going forward will be significant upon both employees and employers. Comm. Holden stated that she would be attending a Right-to-Know Commission Meeting on Friday at 10:00 A.M. A discussion followed. Comm. Clemons inquired what the County portion is, to which G. Wenger noted that Retirement Group I is up to 8.74% of gross wages up from about 6%, and Group II is going up to 11.84%.

G. Wenger informed the Board that the County has some old, used cell phones and suggested that the Board may wish to address how it would like them disposed. E. Robinson noted that her department has suggested that the cell phones could be donated to the Women's Crisis Center, connected to the YWCA.

11. Public Comments on Agenda Items

There were no members of the public available for comment.

12. Non-Public Session

Motion: To go into non-public session under RSA 91-A:3 II(a) personnel. Comm. Pappas, yes; Comm. Holden, yes; Comm. Clemons, yes. Motion carried.

The Board went into non-public session at 5:35 P.M.

The Board met with Mr. Moorehead to discuss compensation of a non-affiliated employee at the Nursing Home.

Motion: To come out of non-public session. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

The Board came out of non-public session at 5:45 P.M.

Motion: To approve the proposal by Mr. Moorehead made on this day March 8, 2007 for the Nursing Home. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

There being nothing further to discuss, the Board entertained a motion to adjourn.

11. Adjourn

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

The meeting adjourned at 5:45 P.M.

(SIGNED 3/22/07)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Approved 3/22/07
Date