

Regular Meeting of the
Hillsborough County Board of Commissioners
April 1, 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, P. Coughlin, L. Movsesian, S. Vaillancourt, M. Brady, A. Durette, C. Kirby, R. Leary, J. Lewis, B. Moorehead, J. O'Mara, M. O'Neil, K. Rickrode, C. Hardy, C. Roach, M. Rusch, E. Therrien, G. Wenger, and L. Stonner.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 9:07 a.m., followed by the Pledge to the Flag led by Comm. Clemons.

2. Administrative Business

Minutes - March 18, 2009

Motion: To approve the minutes of meeting of the Hillsborough County Commissioners, held on March 18, 2009. By Comm Clemons, second by Comm. Holden. Motion carried.

Approval of Payroll Registers

Motion: To approve the Payroll Register dated 3/19/09 in the amount of \$1,105,768.32, 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 3/30/09 in the amount of \$593,604.11 subject to review and audit. By Comm Clemons, second by Comm. Holden. Motion carried.

Telephone Poll

Motion: To approve a Telephone Poll conducted on March 24, 2009, seeking approval of a transfer of funds from the Contingency Building line to the Manchester Courthouse Building line. The Phone Poll was to approve the request for Transfer Number 2009-13 to transfer \$2,500 from Contingency Buildings to Chestnut Street Buildings. All three Commissioners participated; the motion passed unanimously. By Comm. Holden, second by Comm. Clemons.

Comm. Holden indicated that the purpose of the request was to support the retention of professional services to assist in evaluating the feasibility of relocating the County's operations from Chestnut Street into the County's Temple Street facility; this action was taken following a discussion at the last Board meeting.

Motion carried.

Comm. Holden noted that this transfer was approved at the Executive Committee meeting the previous Friday, March 27.

3. Public Comment on Agenda Items

There was no one present from the public who wished to address the Board. Comm. Pappas noted that there has been a change in the Agenda; "Public Comment on Agenda Items" will occur at the beginning of the meeting, and a general "Public Comment" time will be available toward the end of the agenda. Comm. Holden noted that this information could be shared on the County website, and that the current Budget information is on the website.

4. Business Office

Mr. Wenger noted that the Budget Books have been delivered, and will be discussed later; he expressed his appreciation to all the Departments for their efforts in getting the budget information to the Business Office in a timely manner.

5. Department of Corrections

Census

Comm. Pappas recognized Supt. O'Mara who presented the Department of Corrections' Census, noting that as of March 30, the Census was 606, and explained that this included 531 men, of whom 194 have been sentenced, and 337 who are being held pre-trial. There were 75 women, of whom 37 have been sentenced, and 38 who are being held pre-trial.

Mr. O'Mara shared his observation that this week, the women's census actually changed; 45 are sentenced and 40 are pre-trial; he noted that this is a very different circumstance for the Department of Corrections (DOC). He explained the importance of affording the women an opportunity to work, as is done with the men; last week many of the women worked outside. Mr. O'Mara explained that the DOC is working with programs to get the women back into the community.

Comm. Holden asked if any Coop Extension employees were working with the women. Mr. O'Mara responded that there is one volunteer currently; he plans to speak with Mr. Reidy relative to getting programming through the Coop Extension or Southern NH Services.

Use of County Land

Mr. O'Mara presented a request for the use of County land. He noted that it is the annual request from Southern NH Community Services requesting the use of the Community Garden in the space across the street adjacent to the Police Station. He noted that this has been approved each year, contingent upon proper insurance and providing a Certificate of Insurance, which is included.

Motion: To approve the request for the use of County land by Southern NH Services for the Community Gardens program; the specific location is Hillsborough County Complex in field area G; the dates of use will be from 5/21/09 through 9/30/09, and the number of participants will be between 40 and 50. The request included a waiver of rent since it is a non-profit organization. By Comm. Holden, second by Comm. Clemons. Motion carried.

6. Nursing Home

Census

Comm. Pappas recognized Mr. Moorehead who presented the Nursing Home Census. He noted that as of March 26, the Census was 276, which included 204 Medicaid residents, 33 private pay residents, and 39 Medicare Part A residents.

Mr. Moorehead informed the Board that the Nursing Home recently experienced a gastrointestinal flu, a very difficult strain to eliminate. It started in late February or early March. He noted that 86 employees received intensive in-service training and housekeeping performed additional cleaning during that time. Mr. Moorehead indicated that only 35 staff members were affected since March 1st as well as 56 residents. He further explained that the staff did an excellent job containing the virus to three units and a partial unit, and that the skilled unit was not involved. He explained that as of March 25, there has been no additional gastrointestinal issues; it was well contained through training, hand-washing and repetitive cleaning. He expressed his pride in the Nursing Home staff for the good job they did.

Mr. Moorehead requested a Non-Public session under RSA 91: A-3 II (a), regarding the compensation of an employee.

Comm. Holden requested that Mr. Moorehead share the Board's commendation with the staff for its care and concern for the patients and for controlling the virus as well as for preventing it from spreading throughout the building. She also commended Mr. Moorehead and Mr. Lencki for their diligence in getting the fuel oil prices that were presented through a bid at the last Board meeting.

7. County Attorney

Law Intern – Work Study

M. O'Neil, representing the County Attorney's office, requested that the Board approve a contract with the Law Center for Law Interns provided through Franklin Pierce College who generally work at the County Attorney's office. She indicated that they typically work in the summer, but some stay on through the fall or spring semester.

Ms. O'Neil noted that this is a change in the procedure, and currently there is a request before the Board that the County enter into an agreement with the Law Center, whereby the interns would sign up for a set number of hours, the County would pay 25% of their compensation, and the Law Center would pay the remaining percentage. She noted that under this agreement, the Law Center bills the County Attorney's office for the 25%, which in turn would have to be approved and forwarded to the Business Office for payment. The Law Center would pay the student 75%, which is a savings for the County. In the past, the County Attorney has paid 100% of the cost for these interns.

Comm. Holden asked about the cost to the County, and if there were funds in the salary line to cover that expense. Ms. O'Neil responded that there are funds for this; the County Attorney's office currently has four interns, one in a forty-hour position and three in twenty-hour positions. This is a request to continue those positions.

C. Kirby indicated that she has reviewed the contract; she modified the agreement to make certain that these interns will not be employees of Hillsborough County, rather, they will be employees of Franklin Pierce Law Center working in the federal Work Study Program; she further noted that provisions were added to include the addition of a defense and indemnification clause if there is an issue, and a 30-day-out without cause clause. Attorney Kirby noted that the County does have similar relationships with other schools. Comm. Clemons suggested that the Board may wish to review the contract, simply as a matter of good business. The Board agreed to take it under advisement, review the contract, and address it at its next meeting.

There was a request for a Non-Public session relative to the Re-Entry program.

8. Old/New Business

Mr. Wenger informed the Board that the Register of Deeds has maintained a Petty Cash Checking Account at TD Bank North; the signatory on that account is still listed as Judith MacDonald, which needs to be changed to Pamela Coughlin, the new Register of Deeds. He noted that the bank is requiring action by the Board to authorize that change. Mr. Wenger asked the Board for a motion to authorize Pamela Coughlin to be the signatory on the Registry of Deeds, TD Banknorth Petty Cash Checking Account.

Motion: To authorize Pamela Coughlin as the signatory on the TD Banknorth Hillsborough County Registry of Deeds Municipal Checking Account. By Comm Clemons, second by Comm. Holden. Motion carried.

Mr. Wenger asked the Board if the intent was also to remove Judith MacDonald's name from the account. The Board confirmed that that was its intent.

Mr. Wenger informed the Board that the Stimulus tax change will be going into effect with tomorrow's payroll so there will be a slight positive change in the employee's pay checks.

M. Rusch asked to distribute the Schedule for the Budget Sub-Committee Assignments, which she presented to those present. She also noted that she has extra copies of the new Handbook for those who might need a copy.

Mr. Moorehead requested that his budget meeting scheduled for the following day be re-scheduled to Tuesday of the following week so that he might have more time. He noted that there was not enough time to review the sheets between this meeting and the following day.

Mr. Wenger suggested that his understanding is that there is nothing new in the sheets that Mr. Moorehead now has. Comm. Pappas suggested that perhaps everyone could review them together the following day because the Board has a tight schedule and should stick to it. After discussion, Comm. Holden noted that final decisions will not be made tomorrow, and there will be work sessions after the presentations have been made. She further noted that some information was presented at the Executive Committee meeting the previous week. Mr. Wenger noted that the Business Office has tried not to change anything, and it is not the intent to present anything other than what the Departments have submitted. He noted that the only thing the Business Office has done is make recommendations relative to telephones and insurance, and it has put together the salary sheets based on the information that was provided. Mr. Wenger explained that it was his understanding that all of the salary sheets in the budget have been reviewed by the departments before they were finally produced. He suggested that each department argue for its budget as it is, and if going through the process, it is discovered that there is something in there that is not what they intended, then at that point they can ask the Board to make an adjustment.

Mr. Moorehead disagreed with what Mr. Wenger said, noting that there are a lot of new numbers on this budget referring to salary-related issues, such as Social Security and Unemployment Health Insurance; he needs a chance to review them, and he needs a chance to sit down and review the budget document. Comm. Pappas suggested that it could be discussed tomorrow.

Comm. Holden informed those present that she and Comm. Clemons attended the Re-entry luncheon at the Manchester Community Resource Center on March 20th. Additionally, she attended Department of Environmental Services' Water Resources meeting with the Nashua Regional Planning Commission in Merrimack on March 24th; she noted that she has information, which she shared with Mr. Wenger. Comm. Holden also noted that there is a meeting of the Southern NH Regional Planning tonight in Manchester.

Comm. Holden informed the Board that she has been taking the Prescription Drug Cards to the meetings she has attended, and has distributed some in Manchester; she noted that she also gave some to the homeless coordinators in Manchester. Comm. Pappas noted she will distribute them, and bring them to a meeting that she will be attending.

Comm. Holden noted that she is unable to make a negotiation meeting scheduled for April 9th at 2:00 p.m. for AFSME negotiations, and asked if perhaps one of the other Commissioners could attend that meeting. Comm. Clemons agreed to attend in place of Comm. Holden.

Comm. Holden showed an example of the National Water Resource primer that is available on CD. She also informed those present that National County Government Week is May 3rd through May 9th, and the National Association of Counties (NACo) is hosting a breakfast on May 4th.

Comm. Holden noted that U.S. Communities now has a CD that can be used for the bidding process; she also has a NACo online supplier directory, and she will give both to Mr. Wenger. Comm. Holden mentioned that the NACo webinar is scheduled for the following day.

Superintendent O'Mara informed the Board that he wished to update it relative to an earlier discussion regarding the length of time inmates spend at the DOC before being sentenced. He explained that historically the time has been about 60 days; he went on to explain that the DOC has an inmate who has been at the facility 119 days while waiting for a pre-sentencing investigation. Mr. O'Mara informed the Board that this inmate will be going to the State prison for a long period of time; he is charged with manslaughter and rioting. Mr. O'Mara noted that this is an inmate with nothing to lose because he is going to the State prison; he explained this creates an extreme management challenge for the DOC. He expressed his opinion that inmates who face lengthy sentences or life imprisonment definitely do not belong in the County prison environment; he asked the Board to consider approaching Representatives or Senators at the next legislative session to bring about a change in the time to a reasonable amount of days so that there is an opportunity to get accurate information conveyed to the judge, the prosecution, and the defense so that the inmate is moved out of the County setting as quickly as possible.

There was discussion relative to Mr. O'Mara's request, and Mr. O'Mara noted that this is a function of the State Prison Field Services. Comm. Clemons asked Mr. O'Mara to provide him with a draft outlining the issue and agreed to forward it to a legislator.

Comm. Holden mentioned that when visiting the DOC, she has noticed that the truck, the white vehicles, and the vehicle that the Superintendent drives do not have County decals, and asked if there was a reason for this, noting that in the past, these vehicles have had decals on them; she expressed her belief that when the vehicles go out, it is good for the public to know that they are approaching a Department of Corrections vehicle. Mr. O'Mara then requested to meet with the Board in Non-Public session related to security matter at the DOC, to which Comm. Pappas agreed.

At the request of Comm. Holden, Mr. O'Mara noted that he will be providing the Board with a report before its next meeting relative to the conference he recently attended.

9. Public Comment

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

10. Non-Public Session

Comm. Pappas informed the Board that it had four requests for Non-Public sessions.

Motion: To meet with Ellie Therrien, Richard O'Leary and Maureen O'Neil in Non Public session under RSA 91: A-3 II (a) relative to a personnel issue in the County Attorney's reentry Program; to meet with Mr. Moorehead under RSA 91: A-3 II (a) relative to compensation for a Nursing Home employee, and to meet with Legal Counsel under RSA 91: A-2 II (b) for consultation with Counsel, and to meet with Supt. O'Mara from the Department of Corrections under RSA 91: A-3 II (g) relative to consideration of a security-related issue. Motion by Comm. Clemons, second by Comm. Holden. Clemons-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Non-Public session at 9:55 a.m.

The Board met with:

- a. Ellie Therrien, Richard O'Leary and Maureen O'Neil, representing the County Attorney's office, in reference to an employee in the Re-entry program,
- b. Mr. Moorehead relative to a Nursing Home employee,
- c. Legal Counsel for consultation with Counsel,
- d. Superintendent O'Mara relative to a Security issue at the DOC.

No action was taken during Non-Public session.

The Board moved out of Non-Public Session and returned to its regular meeting at 10:35 a.m.

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

Comm. Pappas asked the other Commissioners if they had any motions for the Board's consideration. The following motion was offered at this time.

Motion: To approve the recommendations of the Re-Entry Program relative to the dismissal of an employee related to poor job performance and job inefficiency. By Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Pappas noted that the Board had concluded its regular business and would entertain the first of the Budget Hearings at this time.

Mr. Wenger reviewed the budget format and explained how the budget book was laid out. He noted that that the general revenues are projected to be consistent with last year (non-surplus, non-tax revenues). He further noted that the Nursing Home revenue is healthy and showing some increases; he highlighted two new revenue lines in the Human Services budget. Mr. Wenger explained that investment fund income will be down significantly in light of the economy. He noted that the budget, as it stands today, with no use of surplus, represents a tax of \$54,820,283, which is a 20% increase over the prior year. He further noted that in considering the difference between last year and this year, it basically represents the use of surplus from the present year's budget.

Mr. Wenger noted that on the expense side of the budget, the increase is \$2,777,316, an increase of approximately 3.27%. He further noted that 2.1 million of that comes in the non-Nursing Home lines; about \$650,000 is in the Nursing Home lines. Mr. Wenger noted that there are significant increases in the Computer Information Systems lines; the Registry of Deeds is up \$475,000; Department of Corrections is up approximately 10% (1.5 million); Human Services Public Welfare is down \$700,000. Mr. Wenger summarized by saying that the starting budget represents a 3.27% increase, noting that it includes everything the Departments submitted without any adjustments; it does; however, include some incremental increases relative to labor contracts.

In response to a question from Comm. Clemons, Mr. Wenger responded that each percentage of increase in the budget represents approximately \$850,000, and each 1% increase in the tax equals approximately \$450,000.

Comm. Holden communicated that the Board has a difficult task ahead as it considers the budget; she referred to a letter to the editor, which was written by one of the County's administrators who spoke to the challenges in budgeting with the economic situation, rising unemployment, and retirement investments shrinking, and of balancing the delivery of essential services to the citizens with the constituent's ability to pay. It went on to note that essential services may have to be re-defined in the process, and encouraged residents to become involved with the governance of their town.

Comm. Holden noted that the County has the same difficulties facing the towns; she noted the importance of spending the necessary time to explore this budget, explore new approaches that will reduce rising expenditures, and create opportunities to increase our revenues.

11. Budget Overview

Conservation District

Comm. Pappas welcomed Kerry Rickrode and Chip Hardy from the Conservation District. Mr. Hardy gave an overview of their budget and noted that there is little change in the Conservation District budget. Mr. Hardy discussed some of the areas involved in their work, such as soil, water, erosion, and storm water. They also mentioned working with municipalities on soil potential indexing, where residents can come to them, and their soil is graded according to the soil characteristics and what the land is good for. The Conservation District is also involved with water quality, storm water controls on farming operations, best management programs with agriculture, integrated pest management for farmers, soil and water conservation, and education at County Fairs as well as conservation programs in the schools.

Comm. Holden shared information about the meetings she has attended relative to the State water plan process, and offered to share the information with the Conservation District. She indicated that the Southern NH Planning Commission has a booklet and CD that might also contain meaningful information, and noted that the information is available at Nashua Regional Planning. Ms. Rickrode and Mr. Hardy excused themselves from the meeting at this time. Comm. Pappas thanked them for their information and the good work they do, and noted its importance to the County.

St. Joseph Community Services

Comm. Pappas welcomed Megan Brady and Jack Lewis from St. Joseph Community Services, Inc. and Meals on Wheels/Community Dining. Ms. Brady presented information relative to their programs, specifically the meals program. Ms. Brady cited challenges that they faced this year with the difficult economy; she noted that never in the last fourteen years, or in the 32 year history of the agency, has there been a greater increase in requests for services than what they have seen over the last year. She also noted that they have seen a huge increase in the home-bound programs.

Ms. Brady indicated that there are a certain number of partially funded meals under contract with the State and their agency is expected to make up the difference in each meal that they serve; they run out of meals at the end of the year. Ms. Brady indicated that there is a significant increase in the need for all of the services they offer; she noted that the cost of food has risen by approximately 22%, and while the sources of income are down, more efforts are being directed toward increased fund-raising efforts, and more grant applications are being submitted. It was of interest to note that the cost of high-energy density foods (healthy food) is \$18.16 per 1000 calories while the low-energy density foods (junk foods) is \$1.76 per 1000 calories. She noted that they serve healthy foods at a reasonable price, and they do not have a waiting list; the clients are also asked to contribute toward their meals, as they are able.

In response to a request from Ms. Brady, Comm. Holden informed her that she could get more Prescription Drug Cards from Ms. Robinson in Human Services. Ms. Brady informed the Board that her agency distributes information about Seniors Count and NH Two-on-One as well as the Prescription Drug cards.

The Board thanked Ms. Brady and Mr. Lewis for their presentation; they excused themselves from the meeting at this time.

The Board discussed items to be discussed at the following day's meeting. Mr. Wenger informed the Board that it has a lengthy report in the Register of Deed's packet from Mr. Joseph Moriarty relative to the cost of restoring the Registry's older books. He noted that other significant lines include indexing, optical disk and printing; which are related to the project the Register is proposing.

Mr. Wenger indicated that most of the Nursing Home lines are consistent, and while it appears his Administration line is up \$200,000, Mr. Moorehead had an earlier transfer because of a bed assessment on the expense side, which is offset on the revenue side.

Mr. Wenger informed the Board that a significant amount of the increase in the Computer Information Systems budget relates to a Nursing Home request for technology. He further noted that with respect to the Temple Street budget, the roofing issues and a salary line increase are included, which Ms. Robinson will address.

Mr. Wenger informed the Board that the majority of proposed budget increases relate to facility expenses. Comm. Holden asked about information relative to the new positions, to which Mr. Wenger responded that all new position requests are included with their related Departments.

12. Adjourn

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

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

The meeting adjourned at 11:05 a.m.

(SIGNED 5/13/2009)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date