

Regular Meeting of the
Hillsborough County Board of Commissioners
April 1, 2015
Department of Corrections, Manchester, NH
Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Pappas, Comm. Holden, Comm. Ziehm, P. Coughlin, D. Hogan, C. Beaulac, D. Dionne, G. Fisher, C. Kirby, B. Moorehead, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner.

Also Present: B. Juntura representing Wex Fleet Card

1. CALL TO ORDER

The meeting convened at 9:01 a.m. Attorney Kirby led the pledge to the flag.

2. ADMINISTRATIVE BUSINESS

Approval of Payroll & Accounts Payable Registers

Miscellaneous Payroll

Motion:

To approve Miscellaneous Payroll Registers in the following amounts on the following dates, subject to review and audit:

- March 18, 2015 \$ 270.00
- March 26, 2015 261.79

The total for Miscellaneous Payroll is \$531.79, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Regular Payroll Registers

Motion:

To approve a Regular Payroll Register dated March 26, 2015 in the amount of \$1,070,542.20, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Accounts Payable

Motion:

To approve Accounts Payable Registers in the following amounts on the following dates, subject to review and audit:

- March 30, 2015 \$ 1,123.00
- March 31, 2015 \$ 3,476,081.70.

The total for Accounts Payable is 3,477,204.70, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Extradition Vouchers

Motion:

To approve the following Extradition Vouchers for the following dates, noting that they have been previously approved by the County Attorney:

12/18/15	\$184.04
01/05/15	137.35
01/09/15	228.92
01/15/15	251.81
01/20/15	206.03
01/21/15	114.46
01/21/15	183.13

The total Extradition Vouchers is \$1,305.74. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2015-13 – Nursing Home

Motion:

To approve Transfer # 2015-13 for the Nursing Home and to transfer the amount of \$4,900 from Nursing-Outside Wages, Line 4414-7013 and to transfer the amount of \$3,100 from Nursing Home Maintenance-Fuel, line 4412-7650, and then to transfer the amount of \$8,000 to Nursing home Maintenance-Water, line 4412-7630. Motion by Comm. Holden, second by Comm. Pappas.

Comm. Holden referred to House Bill 1190 that provides that the approval of the Hillsborough County Executive Committee is required for budget Transfers when the transfer amount exceeds the amount of \$2,500. Mr. Wenger clarified the process and explained that the Board of Commissioners has to approve all Transfers; any Transfer that is over \$2,500 will also require Executive Committee. If a Transfer is not approved at either step, the Transfer is not considered to be approved. Anything under \$2,500 goes to the Executive Committee for informational purposes only. Mrs. Castonguay added that anything under \$2,500 can be approved by the Commissioners unless the Board feels that it should go to the Executive Committee.

Motion carried to approve Transfer # 2015-13.

Transfer # 2015-14 – Nursing Home

Motion:

To approve Transfer # 2015-14 for the Nursing Home to transfer the amount of \$8,800 from Nursing home Administration-Salaries & Wages, line 4411-7010 and then to transfer the amount of \$8,800 to Nursing Home Pharmacy-Physician Services, line 4420-7250. Motion by Comm. Holden, second by Comm. Pappas.

Comm. Holden noted that the Transfer is required due to the increased cost of the Medical Director fees as the contract was approved subsequent to the approval of the FY 2015 budget.

Motion carried to approve Transfer # 2015-14.

Transfer # 2015-14 – Nursing Home

Motion:

To approve Transfer # 2015-15 for the Nursing Home to transfer the amount of \$41,000 from Nursing Home Rehabilitation-Other Fees & Services, line 4421-7290, and then to transfer the amount of \$41,000 to Nursing Home-Pharmacy, line 4420-7330 for medications; the Transfer is necessary to cover additional drug costs relating to the Medicare Census being over by 18% for the current year. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Pappas noted that Transfer # 3015-15 is necessary to cover the additional cost of drugs incurred this year.

3. PUBLIC COMMENT ON AGENDA ITEMS

There was no one present from the Public who wished to comment on Agenda items.

4. DEPARTMENT OF CORRECTIONS

Census

Supt. Dionne presented the Department of Correction's Census. He noted as of March 24, 2015, the total in custody was 449 in addition to 11 in the community for a total custody of 460; he explained that there were 355 men including 120 that had been sentenced and 235 that were being held pre-trial; there were 105 women; 52 of the women had been sentenced and 53 were being held pre-trial.

Supt. Dionne informed the Board that 144 individuals were diverted through the Mental Health Courts; 78 were from Manchester and 66 from Nashua. He added that the DOC was holding 28 female inmates from Rockingham County.

Overtime Impact Report

The Overtime Impact Report was included in the Board's packet.

5. NURSING HOME

Census

Mr. Moorehead presented the Nursing Home Census. He indicated that the Census as of March 26, 2015 was 282; it included 201 Medicaid residents, 39 Private Pay residents and 42 Medicare-Part A residents.

Bid # 17-2015 – Disposable Gloves

Motion:

To approve Nursing Home Bid # 17-2015 for disposable vinyl gloves and to award the bid to Central Paper Products, Manchester, NH; it is the lowest responsible supplier meeting the specifications at a price of 1.894/box and 18.94 per case. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Pappas inquired about the quantity of disposable gloves. Mr. Moorehead responded that there are 10 boxes in a case and the Nursing Home will order approximately 1900 cases per year at a cost of approximately \$36,000. Comm. Holden noted that the first and second bids were very close.

6. SHERIFF'S DEPARTMENT

Wex Fleet Card Program

Chief Deputy Fisher introduced Mr. Juntura from Wex, Inc. who will speak about their credit card program; he explained that it is anticipated that this program can save the County money, especially when the Deputies go out for Extraditions and they are using regular credit cards to purchase fuel.

Mr. Juntura informed the Board that Wex, Inc. is a local fuel company based out of So. Portland, Maine, and explained that Wex was recently awarded the State of NH Fuel Card contract. Wex, Inc. provides fuel cards for local retail stations that provide an alternative when there is no State station nearby; this would happen when staff is out of State or out of County or when there is no State station near the officer's location and there is a retail station nearby. He mentioned that the card is accepted in more than 97-98% of the retail stations in the U.S. He added that there is no cost associated with the program and explained that by virtue of being a County, it would be tax exempt and would not pay taxes on the retail fuel purchases, and it would receive 1% back on the total fuel purchases. The savings would come from the tax exemption and the 1% that the County would get back.

Mr. Juntura reported that most other NH Counties are participating in the program as well as Nursing Homes and Departments of Corrections. The Sheriff's Departments in Sullivan, Grafton, Merrimack, Cheshire, Carroll, and Belknap Counties are participating in the program. The Nursing Home and Department of Corrections in Cheshire County are also participating, and he is currently working with Rockingham and Coos Counties to enroll them.

In response to a question from Comm. Ziehm, Mr. Juntura explained that costs will vary depending on the price per gallon at the retail stations; he added that in some cases, the cost through this program may actually be less than at State pumps, depending on the price per gallon and if prices drop. He noted that the program is not to be a replacement for the State pumps, but to be an alternative to the State pumps, particularly when prices drop or when a vehicle is out of the area or out of State, such as when doing Extraditions.

The Board discussed possible concerns and conflicts including:

- Would individuals misuse the program and do what is expedient?
- How can it be controlled?
- Could it be used for personal vehicles?
- Concern for the process

Chief Deputy Fisher explained that the program would give the Sheriff's Department control of the use of the program; he added that cards could be shut off at any point by an Administrator and the Department will receive reports by individual cars and employees. Chief Deputy Fisher explained that the usage will be identified by vehicle by its mileage, and by pin number. Mr. Juntura added that when a card is swiped at the pump, it will ask for the odometer reading of the vehicle, and an individual pin number. He noted that a best practice is to leave the card with the vehicle so the integrity of the data stays with the vehicle, but at the same time, transactions can also be associated by individual employee's pin numbers; this allows tracking usage by vehicle and/or by employee. Mr. Juntura explained when a vehicle is out of area and has to use a retail station it would pay full retail price, but with the Wex program there would be the savings of the Federal tax exemption of 18.3 cents per gallon as well as the State tax exemption that can vary between 20 to 30 cents

per gallon plus the 1% return on purchases; additionally, an employee would not need to travel several miles to the nearest State pump.

Comm. Pappas asked if there could be a ceiling on the amount used. Mr. Juntura responded that a limit could be set; controls could be set on the car to limit the amount per week, a gallon limit per purchase, and controls could be set to limit the time of day and the days when the card could be used. He added that alerts could be set to notify the Administrator when a vehicle or employee is approaching a limit.

Comm. Holden observed that she would like take this under advisement and talk to other Counties to get their input relative to the program. Comm. Ziehm also favored taking the issue under advisement. She asked if the percentage returned to the County be higher. Mr. Juntura noted that it is fixed at 1% and explained that his company is paid an interchange fee by the station when a card is used.

Motion:

To take the Wex Fleet Card Program under advisement. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

7. OLD/NEW BUSINESS

Supt. Dionne reported that he was contacted by Nadine Saco from NH Department of Resources & Economic Development regarding a grant that they are trying to get through the State of NH that would help inmates that are leaving correctional facilities with education programs, housing, clothes, and resumes. He explained that their goal is to run the program in 2 or 3 houses of correction in NH. They are trying to get a two-year, \$500,000 grant. He added that Hillsborough County will not be involved in obtaining or administering the grant; all Hillsborough County has been asked to provide is a classroom where they can work with the inmates on skills that will help soon-to-be-released offenders two to three days a week. He expressed his belief that is great idea that will prepare inmates return to the community with more of the skills an inmate will need to re-enter the workforce, and make a living. He asked the Board for its approval of the program and support Ms. Saco's efforts to get the grant.

In response to a question from Comm. Holden, Supt. Dionne explained that anyone coming into the prison to provide any kind of training will be required to attend the DOC's orientation; he added that an orientation was held the previous Saturday and was attended by seven prospective volunteers.

Motion:

To approve a letter of support for the program similar to that of the Job Corps as described by Supt. Dionne. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Supt. Dionne referred to the information received from Comm. Holden regarding the Justice & Mental Health Collaboration grants and noted that the DOC was awarded two of those grants, namely the Pre-Trial and the Post-Trial and must wait until for the recent grant until knowing if it can secure another grant for next year.

Supt. Dionne indicated that the deadline has been extended for the NACO achievement awards and the DOC is currently working on that; the goal is to get recognition for the County, and the Department of Correction's Mental Health Court.

Supt. Dionne informed the Board that the FCC is once again looking at the commission rate related to inmate telephone calls; he added that he is not sure what the result will be, but they have already restricted calls from Manchester to Boston at 25 cents per minute. He explained that the FCC may restrict or take the commission

rate away, which would be unfortunate because it offsets running programs for inmates. He observed that if the commission rate is eliminated, the DOC would lose approximately \$250,000 a year.

Supt. Dionne informed the Board that the next Correctional Officer Training Academy will begin on April 2nd. The graduation will be held at 10:00 a.m. on May 1st.

Supt. Dionne referred to paperwork for Sen. Guinta and added that he will try to contact him regarding the Social Security Act. Comm. Pappas noted that she will attempt to contact the senator again.

Mr. Wenger explained that the Board approved authorization for the Chairman to execute a Comcast Enterprise Service Sales Order Form for Fairpoint for work to be done last August 6th. He noted that the goal was to move Fairpoint's service to Comcast and added that due to Fairpoint's ongoing strike the work was been delayed. He asked for authorization for a new agreement; which is basically an updated agreement, and noted that the major delay relates to Comcast not getting the support it needed from Fairpoint to access 300 Chestnut Street. Mr. Wenger asked for authorization for the Chair to execute the revised Comcast Enterprise Service Sales Order Form, noting that it lists all the telephone lines and numbers that need to be changed.

Motion:

To authorize the Chair to sign the Comcast Enterprise Service Sales Order Form as outlined by Mr. Wenger. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger expressed his frustration in dealing with Fairpoint and noted that the County is one of thousands that have filed a complaint with the PUC.

Mr. Wenger reviewed the negotiating schedule to confirm which Commissioner would attend each.

- Chemical Workers Comm. Ziehm (tentative agreement reached the previous day-may be done)
- Nursing Home AFSCME Comm. Ziehm
- DOC Teamsters Comm. Ziehm
- DOC AFSCME Comm. Holden
- County Attorneys Comm. Pappas
- Sheriff's AFSCME Comm. Holden

The Commissioners discussed the schedule and it was agreed that the negotiations scheduled for April 9th will be re-scheduled because there is a Commissioner's meeting that day.

Mr. Wenger explained that the NH Association of Counties is holding the Governor's Breakfast on Monday, April 8th at 8:00 a.m. at the Common Man Restaurant in Concord; it will be followed by Executive Committee, which will then be followed by a meeting of the officers.

Comm. Ziehm communicated to Mr. Moorehead that H. Bernier did an excellent job representing the Nursing Home at the Executive Committee Budget Orientation meeting the previous Friday. Mrs. Castonguay informed the Board that Chairman Gagne wanted to thank the Departments for their presentations and to thank Supt. Dionne for the wonderful lunch. She noted that there were approximately 25 new Representatives that attended.

Mrs. Castonguay informed the Board that the next meeting of the Executive Committee is scheduled for April 24th.

Mr. Moorehead explained that there was a rate change in January that did not include either 4.9 or 7 million dollars in unspent funds from the prior fiscal year that should have carried over to the next fiscal year; those dollars would have been used to calculate the January rates, but because it was not it caused the rates, in most cases, to decline an average of 2.9%. The decline for the rate in Hillsborough County was about \$3 a day from January to June 30th or if calculated for one year, it would equal between \$250,000 and \$300,000. He added that there will be a new rate coming in July. He added that the County filed an appeal, as did approximately 60-70 other NH Nursing Homes; all those Nursing Homes will have to have a pre-hearing with the Health & Human Services Department in early April. Mr. Moorehead explained that the NHAC and the NH Healthcare Association are trying to consolidate the hearings into one or two groups (County and private Nursing Homes) so there is not a need for 70 hearings.

Mr. Moorehead reported that the NH Healthcare Association has an agreement with Attorney Robert Dunn to represent those entities in this matter; the estimated cost is \$100 per facility. He recommended that the County move forward to approve its involvement with the Attorney; he indicated that Attorney is reviewing an agreement for this action.

Motion:

To approve the agreement for representation by Attorney Dunn and to authorize Mr. Moorehead to sign the agreement. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Moorehead noted that there was a letter written by Comm. Maglaras dated the 27th that addressed the Governor's budget at the House level; he further noted that part of the budget is to pull back 25% of the Bed Tax (or MQIP), which in Hillsborough County's case would represent a loss of approximately \$800,000 for FY 2016.

Ms. Robinson reported that when she spoke with Rep. Kurk the previous Friday, she explained that the amendment she had seen to House Bill 2, which is the trailer bill that follows the budget, did not reflect an increase in the Cap, in fact there was a decrease. She noted that Rep. Kurk was surprised to learn that it was not a 2% increase; she explained that the State put back the \$5,000,000 credit which resulted in a decrease in the Cap. He indicated to her that that the intent was to have a 2% increase each fiscal year. She explained that she went on to explain that was not what they did.

Ms. Robinson added that she has since received an email from Rep. Kurk; he did acknowledge that there was an error and there was not a 2% increase. She further added that it is likely that they will go to the Senate and ask for a change in HB 2. A 2% increase would cost the County approximately \$753,000.

Discussion ensued relative to the overall cost to the County from the changes in the State budget. Ms. Robinson observed that the State Budget, as it stands today, would likely represent approximately \$2,000,000 loss for Hillsborough County. Ms. Robinson noted that when she is on a conference call with other interested entities, these issues are discussed.

Comm. Ziehm recognized Attorney Hogan.

7. PUBLIC COMMENT

There were no members of the public present who wished to comment.

8. NON-PUBLIC SESSION

Comm. Ziehm entertained a motion for Non-Public Sessions.

Motion:

To move into Non-Public Session consistent with:RSA 91-A:3 II (a) relative to an employee issue, and then to meet in Non-Public Session consistent with RSA 91-A:3 II (d) relative to the consideration of the acquisition, sale, or lease of property, which, if discussed in public would likely benefit a party or parties whose interests are adverse to those of the general community, and then to meet in Non-Public Session consistent with RSA 91-A:3 II (a) relative to a personnel issue. Motion by Comm. Pappas, second by Comm. Holden. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

The Board met with Attorney Hogan and Mr. Wenger.

The Board met with Chief Deputy Fisher.

The Board met with Mr. Wenger.

The Board moved out of Non-Public at 11:10 a.m.

Motion:

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

Comm. Ziehm asked if there was any other action before the Board.

Mr. Wenger announced that the vacant position in the CIS Department has been filled and the person should start soon.

9. ADJOURN

Lacking further business, Comm. Ziehm entertained a motion to adjourn. The meeting adjourned at 11:12 a.m.

Motion:

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

Approved April 29, 2015

Comm. Toni Pappas, Clerk
Hillsborough County Board of Commissioners

Date