

Regular Meeting of the  
Hillsborough County Board of Commissioners

April 19, 2007  
Department of Corrections, Valley St., Manchester, 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. Clemons, G. Wenger, R. Mercer, B. Moorehead, J. O'Mara, E. Robinson, C. Kirby, and R. Pomroy.

**1. Pledge to the Flag**

Comm. Holden called the meeting to order at 4:07 P.M. Lt. Vacca led those present in the Pledge to the Flag.

Comm. Holden advised those present that Comm. Pappas had been delayed but would arrive shortly and had encouraged the Board start the meeting in her absence.

**2. Minutes**

Comm. Holden suggested that consideration of the minutes be deferred until Comm. Pappas arrived.

**3. Business Office**

Approval of Payroll Register

**Motion:** To approve the Payroll Register dated 4/5/2007 in the amount of \$1,005,547.89 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Approval of Accounts Payable Register

**Motion:** To approve the Accounts Payable Register dated 4/16/2007 in the amount of \$6,316,104.66 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

**Motion:** To approve the Accounts Payable Register dated 4/18/2007 in the amount of \$76,897.27 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Extraditions

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

**Motion:** To approve Extradition Vouchers dated from 1/2/2007 to 2/12/2007, for the amounts of: \$287.61, \$455.66, \$53.35, \$546.39, \$112.52, \$55.78, \$37.35, \$48.99, \$685.40, \$159.65, \$1,360.20, \$59.66, \$53.84, \$761.17, and \$110.58 for a grand total of \$4,788.15 subject to review and audit. By Comm. Clemons, second by Comm. Holden noting that they have been reviewed by the County Attorney and that they are for the dates 1/2/2007 through 2/12/2007. Motion carried unanimously.

Telephone Poll

**Motion:** To accept telephone poll dated 4/12/2007 to deny the union's request to extend the time to file for arbitration in the four grievance matters considered on April 2, 2007. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Ellen-Ann Robinson and C. Kirby joined the meeting at this time.

**Motion:** To accept telephone poll to authorize the Superintendent of the DOC to accept the transfer of a male inmate from Rockingham County noting that all three Commissioners voted in the affirmative. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

B. Moorehead joined the meeting at this time.

Transfer # 2007-16: Temple Street Misc. Lines to Temple Street Fuel

**Motion:** To approve request for budget transfer #2007-16 from the Temple Street division, transferring from line 7297, Cleaning Services, \$2,500 and from line 7390, Other Supplies, \$1,200 for the total of \$3,700, transferring to line 7650, Fuel. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Transfer # 2007-17: DOC Health/Accident to DOC Misc. Lines

**Motion:** To approve request for budget transfer #2007-17 from the Department of Corrections Health & Accident line, 4230-7120 the amount of \$16,350 into the Gas-Heating/Cooking account, 4230-7620 the amount of \$13,800 and to the Water account, 4230-7630 the amount of \$2,550. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Transfer # 2007-18: Convention Misc. Lines to Convention New Equipment

**Motion:** To approve request for budget transfer #2007-18, the County Convention 4001-7820, Equipment Repair line \$300 and 4110-7700 Travel In-State \$200 to 4110-7970, New Equipment the total amount of \$500. By Comm. Clemons, second by Comm. Holden.

Comm. Holden noted that she was glad to see that the purchase was being made in the current fiscal year as opposed to waiting to July 1<sup>st</sup>.

Motion carried unanimously.

#### 4. Nursing Home

Census

B. Moorehead was recognized. He advised the Board that the census and the facility as of April 12, 2007 was 284, with 210 Medicaid, 42 Private Pay, and 32 Medicare part A. He indicated that this was a very good quality mix.

Bid #29-2007: Thera-Glide Rockers

Mr. Moorehead presented the bid explaining that it was for eight Thera-Glide Rockers and that the lowest responsible bidder was Future Medical of Lynnfield, MA at \$747 each for a total bid of \$5,976.

**Motion:** To grant the bid #29-2007 for eight Thera-Glide Rockers to Future Medical of Lynnfield, MA for a total cost of \$5,976, the lowest responsible supplier. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Bid #30-2007: Electric Stand-Up Lift and Power Lift

Mr. Moorehead explained that the bid is for two patient lifts, one being an electric Stand-Up Lift and the second being a Power Lift. He stated that the lowest responsible bidder was Arjo, Inc, of Roselle, IL. at \$11,827.96.

**Motion:** To approve bid #30-2007 for two patient lifts, one being an electric Stand-Up Lift and the second being a Power Lift. He stated that the lowest responsible bidder was Arjo, Inc, of Roselle, IL. for a total bid of \$11,827.96. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

#### Bid #33-2007: Spiritual Counselors

Mr. Moorehead explained that the bid before the Board was for Spiritual Counselors, one a Protestant Minister and the second a Catholic Priest. He noted that two bids were received, one for each positions and that the bidders are currently associated with the facility. He advised the Board that the lowest responsible bidders were Rev. D. Rickard at \$5,200 per year and Rev. W. Hamilton at \$5,668 per year and that he was recommending that the bid be awarded to them. Mr. Moorehead noted that the bid amounts are the same as is currently paid by the facility.

**Motion:** To approve bid #33-2007 for Spiritual Counselors to Rev. D. Rickard, Protestant Minister, of Manchester, NH in an amount of \$5,200 per year and to Rev. W. Hamilton, Catholic Minister, of Manchester, NH in an amount of \$5,668 per year. By Comm. Clemons, second by Comm. Holden.

Comm. Holden noted that the two bidders were the lowest and only responsible bidders for the services. Comm. Clemons commented regarding his surprise that services of this nature were put out to bid.

Motion carried unanimously.

#### Employee Service Awards

Mr. Moorehead advised the Board that Nursing Home week was being planned. He sought the Board's approval of the annual employee recognition awards for those employees in service 5/10/15/20/25/30 and up to 35 years. He explained that the total cost of the gifts was \$1,825 out of the Nursing Home Recruitment and Retention budget. Mr. Moorhead went on to explain that the awards would recognize a total of 740 years of service to the Nursing Home and 47 employees. He noted that two employees will receive 30-year awards and one will receive a 35-year award.

**Motion:** To approve \$1,825 for the Employee Service Awards for the County Nursing Home. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

#### Martins Point Contract

Mr. Moorehead explained that he and Legal Counsel have been going back and forth with representatives of Martins Point Health Care, a managed care provider that contracts with nursing homes and primarily places Veterans. He noted that several items have been identified in the agreement many that have been resolved but noted that approximately six items remain to be clarified and he anticipates that a response will be received soon. Mr. Moorehead requested the Board to authorize him to sign the agreement as soon as the remaining issues are resolved to the satisfaction of Legal Counsel. Comm. Holden suggested that the matter wait until the Board's next meeting. Mr. Moorehead agreed that was appropriate.

#### Red Cross Request to Use Complex Facility

Comm. Holden informed the Board that the American Red Cross has made a request to use facilities at the County Complex including a conference room in the Bouchard Building and the Barn for the following Friday, Saturday, and Sunday in conjunction with its flood relief effort. She recommended that authorization be given for Friday and see what could be arranged for the weekend in light of the fact that the buildings would be closed. A discussion followed regarding previous use and the current need. Comm. Clemons inquired regarding what would be required to have a staff person man the building over the weekend. Mr. O'Mara agreed to review

the Complex budget to see if it could absorb the cost associated with having a maintenance person available for the weekend.

Comm. Pappas joined the meeting at this time and assumed the Chair.

**Motion:** To allow the Red Cross the use of a designated room in the County Complex for the purpose of disaster relief from 9-5 on Friday, 9-5 on Saturday, and 1-4 on Sunday, if they do not cover the cost of a custodian the County will absorb that cost. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

The Board revisited agenda item number 2, Minutes.

**Motion:** To approve the minutes of the March 22, 2007 regular meeting of the Hillsborough County Board of Commissioners. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

**Motion:** To approve the April 2, 2007 Grievance Hearings, Special Meeting of the Hillsborough County Board of Commissioners. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

**Motion:** To approve the Special Meeting of the Hillsborough County Board of Commissioners FY 2008 budget meeting number 3, on April 3, 2007. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

## 5. Department of Corrections

### Census

J. O'Mara was recognized. He informed the Board that the census at the facility on April 12 was 546. He noted that 494 were men, of which 193 are sentenced and 301 were being held pre-trial. He noted that on the women's side of the house, 19 are sentenced, and 33 were pre-trial for a total of 52 female inmates.

### Bid #FY07-74: Inmate Commissary Services (3yr. Contract)

Mr. O'Mara noted that the bid before the Board is for inmate commissary services and that the bid is awarded based on the higher amount of commission that will be paid to the County. He explained that, as described in the supporting information attached to the bid form, he is recommending Keefe Commissary Network be awarded the three-year contract.

**Motion:** To approve Bid # FY07-74 for Inmate Commissary Services, the first year of a three-year contract to Keefe Commissary Network of Edison, NJ noting that they are the lowest responsible bidder meeting the specifications and the bid is awarded under RSA 28:8-e Competitive Bidding because it has the ability and capacity to perform the contract and provide the service promptly and the quality of service on previous contracts has been taken into consideration as well as the quality, availability, and adaptability of the supplies to the particular use required. By Comm. Holden, second by Comm. Clemons.

Comm. Holden noted that the bid was for a 28% commission.

Motion carried unanimously.

Mr. O'Mara informed the Board that the next series of bids are for the second year renewals of three-year agreements awarded by the Board last year noting that they are FY08 bids that will take effect on July 1, 2007 and subject to appropriate funding.

### Bid #FY08-01: Pharmacy Services (3yr. Contract)

**Motion:** To approve Bid #FY08-01, Pharmacy Services, the second year of a three-year renewable contract, to Ken's Pharmacy of Manchester, NH, Brands less 3%, Generic less 15%. By Comm. Holden, second by Comm. Clemons.

Comm. Holden inquired regarding the issues raised by Rep. Rosenwald that had come before her committee. Mr. O'Mara suggested that to his knowledge that program was still being looked at and if anything came of it the County does have the ability to get out of the contract presently before the Board.

Motion carried unanimously.

Bid #FY08-02: Ambulance Services (3yr. Contract)

**Motion:** To approve Bid #FY08-02, for Ambulance Services, the second year of a three-year renewable contract, to Rockingham Ambulance consistent with the attached fee scheduled. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Bid #FY08-03: Radiology Services (3yr. Contract)

**Motion:** To approve Bid #FY08-03, Radiology Services, the second year of a three-year renewable contract, to Mobilex USA of Manchester, NH. for \$85.00 per exam. By Comm. Clemmons, second by Comm. Holden. Motion carried unanimously.

Bid #FY08-04: Laboratory Services (3yr. Contract)

**Motion:** To approve Bid #FY08-04, Laboratory Services, the second year of a three-year renewable contract, to Elliot Hospital Laboratory, of Manchester, NH. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Bid #FY08-05: Psychologist Services (3yr. Contract)

**Motion:** To approve Bid #FY08-05, Psychologist Services, the second year of a three-year renewable contract, to Paul F. Harris, PhD of Manchester, NH. at \$81.00 per hour. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Bid #FY08-06: Dentist Services (3yr. Contract)

**Motion:** To approve Bid #FY08-06, Dentist Services, the second year of a three-year renewable contract, to Henry Lemieux, DMD of Derry, NH at \$85.00 per hour. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Bid #FY08-07: Physician Services (3yr. Contract)

**Motion:** To approve Bid # FY08-07, Physician Services, the second year of a three-year renewable contract, to Charles Ward, MD of Concord, NH in the amount of \$3,000 per month. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Human Services

E. Robinson was recognized and advised the Board that she had nothing to report at that time. Comm. Holden reported that they had attended the DCYF Workgroup meeting the previous Tuesday. E. Robinson reported that at the meeting they received the third quarter financials, which show that they are running at \$370, slightly over

the rate currently set. The current run rate is \$373 per day. She reported that the rate for YDSU is running as approximately \$313 per day against a rate that is set at approximately \$317 per day. She indicated that information provided relative to the projections for the next year budget is a rate of \$380 per day at YDC. She noted that the indication is that they are happy with the Excel Program. She explained that by starting that program they have forced the population over 80%. She explained the Excel Program and the financial impact that it can have on the County. She expressed her concern that there are other comparable programs at residential facilities across the State of New Hampshire that are significantly less expensive in part because the services, unlike at the State facility, are Medicaid eligible. A brief discussion followed. E. Robinson explained that there are also children from VT at the facility at a rate of \$250 per day, which contrasts to the rate paid by citizens of the State of NH, which is \$370 per day. She noted that she had been advised that this was a contract, in effect to December at which time it is anticipated that the rate will increase to \$300.

Comm. Clemons inquired regarding the monies, \$25,000 appropriated by Comm. Stephen to study county needs regarding emergency planning. Comm. Holden explained that it was her understanding the \$2,500 had been appropriated for each of the ten counties to help for emergency planning and that the counties had agreed to hire one individual. A discussion followed regarding how those funds were being utilized. Mr. Wenger noted that at the meeting he had attended there was a discussion regarding using the funds to hire a consultant to evaluate each county's assets in order to determine what was needed to proceed. E. Robinson noted that she had attended the subsequent meeting and that she did not understand that to be the case. A discussion followed regarding the number of outstanding issues and questions that remained regarding the planning project.

#### Delegation

M. Rusch was recognized. She advised the Board that the subcommittees had been decided upon and a schedule distributed and the Executive Committee was meeting the next Friday.

### 6. Old/New Business

Comm. Holden advised that the Master Plan Committee had been canceled on the 16<sup>th</sup> and was rescheduled to April 27<sup>th</sup>. The next meeting would be May 11<sup>th</sup>. She reported that the Committee was invited to walk the property with J. Nute of the Cooperative Extension on Saturday May 10<sup>th</sup>.

Comm. Holden reported that she had attended the Senate Bill hearings on SB88 and SB216. She noted that a second hearing would be held on SB88 on April 25<sup>th</sup> at 1:00 P.M.

The County Turnover Report was distributed for information.

Comm. Holden noted that the Southern New Hampshire Services graduation was scheduled for the next Wednesday, the 25<sup>th</sup> and that she would try to attend.

Superintendent O'Mara noted that the 36<sup>th</sup> graduation at the Doc was scheduled for Friday the 20<sup>th</sup>. He also advised the Board that the AFSCME unit at the DOC met on the 17<sup>th</sup> and ratified the collective bargaining agreement. He suggested that the agreement would be brought to the Board for ratification shortly.

Mr. Wenger advised the Board that it had received a letter from Comm. Stephen regarding State Fiscal Year 2005 ProShare recalculation. He noted that the Board had previously advised the Commissioner that the County would not participate. Following a brief discussion Legal Counsel, C. Kirby was requested to respond noting that the position of the Board had not changed at this point.

**Motion:** To have Legal Counsel respond to the April 12, 2007 letter from Commissioner Stephen regarding ProShare, that Hillsborough County remains steadfast in its position that it will not participate in the drawdown. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

**7. Public Comments on Agenda Items**

There were no members of the public available for comment.

**8. Non-Public Session**

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

The Board went into non-public session at 5:10 P.M.

The Board met with G. Wenger, J. O'Mara, and C. Kirby and discussed the status of an ongoing legal matter.

The Board came out of non-public session at 5:14 P.M.

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

Mr. O'Mara was recognized. He requested the Board create a full-time RN position and to reduce to \$1.00 a full-time LPN position and a per diem LPN position. He noted that the benefits already exist in the LPN position that will be reduced to one dollar and that the salaries for the two LPN positions will be combined to fund the RN position. He explained that no budget lines would be changes because of this request. Comm. Holden noted that the Board is scheduled to meet to work on the budget the following Thursday. Mr. O'Mara suggested that he had an individual that wanted to work immediately and that the request was not budget related and in fact would return the budget to its original state as approved for the fiscal year. It was agreed that the matter would be addressed when the Board met the following Thursday.

Comm. Clemons inquired regarding what an RN can do that an LPN cannot. Me. O'Mara explained that it is his understanding that an LPN is technically a degree below an RN and the RN can supervise an LPN.

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

**9. Adjourn**

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

The meeting adjourned at 5:20 P.M.

*(SIGNED 8/15/07)*

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Comm. Michael Clemons, Clerk  
Hillsborough County Board of Commissioners

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Date