

Regular Meeting of the
Hillsborough County Board of Commissioners
April 24, 2013
Bouchard Building, Goffstown, NH
Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Pappas, Comm. Ziehm, Comm. Holden (by conference call), P. Coughlin, P. LaFrance, D. Dionne, J. Hardy, M. Lencki, D. Reidy, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

1. Call to Order

Comm. Pappas called the meeting to order at 9:01 a.m.

2. Pledge to the Flag

Comm. Ziehm led the Pledge of Allegiance.

3. Administrative Business

Minutes

Motion: To approve the minutes of the Board of Commissioner's Regular meeting held on April 3, 2013.
Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Approval of Payroll Registers

Motion: To approve the following Miscellaneous Payrolls in the following amounts:

4/2/2013	\$ 160.00
4/5/2013	3,076.51
4/12/2013	635.47
4/15/2013	500.00
4/17/2013	74.90
4/19/2013	790.08

for a total of \$5,236.96, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas.
Motion carried.

Motion: To approve a Regular Payroll dated April 11, 2013, in the amount of \$1,088,612.06, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Approval of Accounts Payable Register:

Motion: To approve the Accounts Payable register dated April 23, 2013, in the amount of \$958,851.20, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Extradition Vouchers

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

- Feb. 19, 2013 \$ 101.75
- Feb. 22, 2013 127.19
- Feb. 26, 2013 76.22

for a total Extradition Expense of \$305.16. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

CIS Bid # 11-2013 – Server Purchase

Motion: To approve CIS Bid # 12-2013 for a Server and to award the bid to CDW-G, Vernon Hills, IL, noting it is the lowest responsible bidder at a price of \$6,897.46. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Budget Transfer # 2013-19

Motion: To approve Budget Transfer # 2013-19 for the County Attorney's office to transfer the amount of \$2,000 from Postage, line 4123-7380, and to transfer a like amount to Printing & Binding, Line 4123-7350. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Budget Transfer # 2013-20

Motion: To approve Budget Transfer # 2013-20:

- to transfer the amount of \$700 from Sheriff's Auto Track, Line 4211-7442
- to transfer the amount of \$9,000 from Sheriff's Health & Accident, Line 4211-7120
- and then to transfer the amount of \$700 to Sheriff's Office Supplies, Line 4211-7360
- and to transfer the amount of \$9,000 to Sheriff's Gas & Oil, Line 4211-7220

for a total transfer of \$9,700. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

Budget Transfer # 2013-21

Motion: To approve Budget Transfer # 2013-21:

- to transfer the amount of \$42,400 from Sheriff's District Court Bailiff's Salaries & Wages, Line 4216-7010,
- to transfer the amount of \$3,244 from Social Security, Line 4216-7100,
- and then to transfer the amount of \$42,400 to Superior Court Bailiffs Salaries & Wages, Line 4215-7010,
- and to transfer the amount of \$3,244 to Social Security, Line 4215-7110

for a total transfer of \$45,644. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Budget Transfer # 2013-22

Motion: To approve Budget Transfer # 2013-22:

- to transfer the amount of \$31,746 from the Sheriff's Drug Asset Forfeiture Line 4212-7232,
- and then to transfer the amount of \$29,490 to Sheriff's Part Time Salaries & Wages Line 4219-7010,
- and to transfer the amount of \$2,256 to the Sheriff's Part Time Social Security, Line 4219-7100

for a total transfer of \$31,746. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

Budget Transfer # 2013-23

Motion: To approve Budget Transfer # 2013-23 to transfer the amount of \$10,000 from Sheriff's Salaries & Wages Line 4211-7010 and to transfer a like amount to Overtime, Line 4211-7011. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried

Budget Transfer # 2013-24

Motion: To approve Budget Transfer # 2013-24 to transfer the amount of \$26,000 from Nursing Home Rehabilitation Salaries, Line 4421-7010 and to transfer a like amount to Nursing Home Pharmacy, Line 4420-7290. Motion by Comm. Pappas, second by Comm Ziehm. Motion carried.

Budget Transfer # 2013-17

The Board discussed Transfer # 2013-17, noting that it was tabled at the previous meeting. Mr. Lencki explained that Transfer # 2013-24 replaces Transfer # 2013-17 and requested that it be withdrawn.

Motion: To remove Budget Transfer # 2013-17 from the table. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Motion: To withdraw Budget Transfer # 2013-17, noting that it has been replaced by Budget Transfer # 2013-24. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Budget Transfer # 2013-25

Motion: To approve Budget Transfer # 2013-25:

- to transfer the amount of \$2,000 from Correction's, Other Fees/Services, Line 4230-7290,
 - to transfer the amount of \$2,000 from Correction's, Other Supplies, Line 4230-7390,
 - and then to transfer the amount of \$4,000 to Clothing & Supplies, Line 4230-7520
- for a total transfer of \$4,000. Motion by Comm. Pappas, second by Comm Ziehm. Motion carried.

Budget Transfer # 2013-26

Motion: To approve Budget Transfer # 2013-26:

- to transfer the amount of \$2,000 from Medical Supplies, Line 4230-7300
 - to transfer the amount of \$5,000 from Pharmacy, Line 4230-7330
 - to transfer the amount of \$10,000 from Board & Care-Females, Line 4230-7583
 - to transfer the amount of \$10,000 from Board & Care-Males, Line 4230-7584
 - to transfer the amount of \$5,000 from Gas-Heating, Line 4230-7620
 - to transfer the amount of \$4,000 from Gas-Auto, Line 4230-7720
 - and then to transfer the amount of \$36,000 to Medical/Dental-Males, Line 4230-7590
- for a total transfer of \$36,000. Motion by Comm. Pappas, second by Comm Ziehm. Motion carried.

Budget Transfer # 2013-27

Motion: To approve Budget Transfer # 2013-27 for the County Attorney's office to transfer the amount of \$1,300 from Consulting Expense, Line 4123-7230, and to transfer a like amount to Education & Conference, Line 4123-7170. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

4. Public Comment on Agenda Items

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

5. Department of Corrections

Census

Supt. Dionne presented the Department of Correction's Census. He noted as of April 9, 2013, the total in custody was 559; he explained that there were 442 men, including 153 that had been sentenced and 289 that were being held pre-trial; there were 117 women; 57 of the women had been sentenced and 60 were being held pre-trial. He informed the Board that there are 161 individuals that have been diverted through the Mental Health Courts and 25 individuals in the community. Supt. Dionne added that the facility is holding 40 female inmates from Rockingham County.

Discussion ensued relative to the likelihood that the Women's Prison will be moving to Concord. The NH Senate has moved forward to support the move.

Overtime Impact Report

Supt. Dionne noted that he had provided an Overtime Impact Report for the Board for the permanent record.

Supt. Dionne informed the Board that the Town of Milford sent a letter requesting inmates through the Community Service Program and has committed to 5 weeks. Mr. Wenger informed the Board that Lyndeborough has indicated that they are happy the Board is reconsidering the program, but it does not have funds to participate this year.

6. Nursing Home

Census

Mr. Lencki presented the Nursing Home Census. He indicated that the Census as of April 18, 2013 was 284; it included 195 Medicaid residents, 47 Private Pay residents and 42 Medicare, Part A residents; he added that there were also 10 Hospice residents and 17 in the ELU unit.

Mr. Lencki requested authority to lock in electrical, gas and oil rates if the price is right.

Motion: To authorize Mr. Lencki to lock in electrical, gas and oil rates, subsequent to Board approval.
Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

7. Old/New Business

Comm. Ziehm observed that there will be a meeting of the So. NH Planning Commission the following day; they will be looking at ways for Counties to work together to achieve lower buying costs.

Register Coughlin informed the Board that she has the Fidlar Technologies contract that was approved at the last meeting; it is ready for execution. The Chair will sign the contract.

NHAC Recognition – Governor's & Council Breakfast

Following discussion, Mr. Wenger agreed to follow up with Mr. Moorehead relative to proposing an employee for recognition at the May 1st breakfast.

County Attorney LaFrance informed the Board that her department received \$3,500 that was returned to the County budget for an extradition that the department processed the previous fall; it required the Deputies to travel to Georgia; the man fled; the \$3,500 recovered was part of a negotiated plea.

Attorney LaFrance indicated that she will be conducting orientation for 8 new Interns that will be starting with her office this summer; they are all second year law students; they will be Rule 36 student attorneys so they will have an opportunity to be in court and gain practical experience, which is very valuable. She added that she has re-vamped the Intern program; her goal is to make it the best in the State. She added that she is hopeful that the word will get out and law students will be eager to come to our County and work for free during the summer, and hopefully remain for the entire year. She explained that they will work 20 to 24 hours each. Mr. Wenger noted that the positions will need to be reviewed by Human Resources to make sure they comply with Federal Labor rules; additionally, the Board will have to approve the positions relative to liability.

Comm. Holden joined the meeting by conference call.

Budget

Mr. Wenger provided a packet of information relative to the budget; he noted that:

- The actions taken by the Board have reduced the budget requests from 86.8 to 84.8 million dollars; that is a 2.12% increase over the prior year
- Budgeted tax revenues have been reduced from 52.4 to 42.6, which is a 4.88% increase from the prior year
- Non-tax revenues have been increased from the request of 34.3 to 38.6 million dollars; that is a reduction over last year's revenue of 1.01%
- The Commissioners have based the FY 14 budget on a 2.8 million dollar use of Surplus, that is a reduction of \$700,000 from the current year
- Expenses have increased by 1.7 million dollars
- Taxes have increased by 2.1 million dollars
- Human Services expenses increased over the current year by \$383,000
- Non-tax revenues have decreased by \$391,000

Mr. Wenger highlighted several factors that equal 2.4% that are direct expenses that have been passed down from the State; they include:

- Retirement contributions across the County have increased by \$680,000, or 1.54% of the increase in the amount to be raised by taxes
- Human Services reflects a .86% increase
- Wages across the County reflect a 1% increase
- Health & Accident Insurance has increased 1.5%

Mr. Wenger noted that the County must produce the required Department of Revenue MS-46 document and distribute it to all the communities in the County as well as the Representatives prior to the Board of Commissioner's Public Hearing; it will be ready for the Commissioner's signature at its meeting on the following Friday.

Following discussion, Comm. Holden offered the following motion:

Motion: To reduce Sheriff's Office New Equipment, line 4211-7970 by 3 vehicles, leaving 2 vehicles to be purchased in the FY14 budget and to leave it to the Sheriff's discretion to decide which 2 of the 5 proposed vehicles will be purchased. Motion by Comm. Holden, second by Comm. Ziehm.

Comm. Holden indicated that she has issues with the number of vehicles and the number of vehicles that are driven home at night.

Sheriff Hardy responded that he has grave concerns related to the increased repair costs when vehicles are not replaced on a regular schedule. He added that vehicles that officers drive home are important because these officers are available in the event of an emergency or requirement to assist the State or local police. He noted that just this morning, Captain Esty was on his way to work in an unmarked vehicle when he observed an individual that had fled from a very serious personal injury accident in Bedford; the State police and Bedford police had been looking for that individual in the woods since midnight the previous evening. Sheriff Hardy explained that having Captain Esty on duty in the unmarked car allowed him to apprehend the person as he was leaving the woods.

Sheriff Hardy observed that this was his 11th budget, and noted that he does not put 5 vehicles in the budget, anticipating a cut in his budget, when he is only looking for 3. He added that it is important to consider:

- In FY 11 there were 4 vehicles purchased with operating budget funds at a cost of \$174,398
- In FY 12, the legislators funded no vehicles, putting the department behind by 12 months
- In FY 13, there was 1 vehicle purchased with operating budget funds
- 2 Impalas and a used van from the Hooksett Police Department were purchased with HIDTA (High Intensity Drug Trafficking Area) funding
- Some of the vehicles being replaced will be passed down to other departments
- His department is required to move approximately 18,000 to 19,000 prisoners each year
- 27,000 Civil Process items must be served or dealt with as well as warrants, investigations, fugitive apprehension efforts, and extraditions by car

Sheriff Hardy noted that all the aforementioned are requirements that fall under the umbrella of the law enforcement function. He respectfully requested that the Board reconsider the cut at this point in the process, noting that it makes it more difficult to maintain the operations responsibilities of the Sheriff. He thanked the Board for allowing him to address his concerns.

Comm. Holden commented that she would like to “move the question.” In response to a request from the Chair, she agreed to wait for Comm. Ziehm to speak. Comm. Ziehm added that she has no problem with vehicles going home and asked for information relative to the cars purchased since 2011. Sheriff Hardy responded that there have been 7 vehicles added in the last 3 fiscal years. He reviewed the vehicle purchases, and noted that there were no replacement vehicles purchased in FY 12, the repair costs increased, and the department fell behind. Comm. Ziehm noted that she feels it is necessary to make some cuts in the budget. Sheriff Hardy noted that his requests are operations driven, adding that when they started a program of replacing vehicles 11 years ago, the understanding was that vehicles would be rotated out at \$75,000 to 80,000 miles; he added that retaining cars with higher mileage creates repair issues, increased liability, and jeopardizes the safety of staff.

Comm. Holden noted that this is not personal; it is a means to reduce the budget, adding that this will not be the only opportunity to address the issue. Comm. Pappas noted that she is against this motion; she noted that it is her belief that the Sheriff has adequately expressed his need for the vehicles requested.

Comm. Pappas called for a vote.

Motion carried with Commissioners Holden and Ziehm voting in favor of the motion and Comm. Pappas voting against the motion.

Mr. Wenger noted that for a budget cut, a budget figure must be set for the cut. Sheriff Hardy suggested that 1 of the vans and 2 Ford Cruisers that would represent a total of \$94,311. Following discussion, Mr. Wenger noted that based on what was presented, and discussion with Sheriff Hardy, the Sheriff's Office New Equipment, line 4211-7970 will be reduced by \$94,311, to fund the line at \$82,577.

Mr. Wenger noted that since the Board has no other motions relative to the budget, it would be appropriate to move to accept the budget, as discussed, to the Public Hearing

Motion: To move to accept the budget, as discussed, to the Public Hearing on May 1st. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mrs. Castonguay noted that the Board is on the Executive Committee Agenda to present its budget the following Friday. The Board confirmed that it would provide an overview of the budget.

Discussion ensued relative to the format the Board would use for its presentation, and who would present. The Board agreed to meet at 8:00 a.m. the following Friday for further discussion prior to the Executive Committee meeting. Comm. Holden excused herself and left the meeting. The telephone connection was terminated

8. Public Comment

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

Comm. Pappas noted that there is a request to meet in Non-Public session and addressed a motion.

9. Non-Public Session

Motion: To move into Non-Public session relative to negotiations consistent with RSA 91-A:2 I (b). Motion by Comm. Pappas, second by Comm. Ziehm. Ziehm-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public session at 10:12.

The Board met with Mr. Wenger, Supt. Dionne, and Sheriff Hardy.

The Board moved out of Non-Public Session at 10:25.

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

Comm. Pappas entertained a motion relative to a discussion in Non-Public Session.

Motion: To approve the contract between Hillsborough County and the International Chemical Worker's Union, as presented. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

The Board reviewed the critical numbers relative to the budget and discussed how its budget would be presented.

Comm. Pappas noted that without objection, the meeting would adjourn

The regular meeting adjourned at 10:53 a.m.

Comm. Pappas entertained a motion to recess the budget meeting.

Motion: To recess the meeting. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

The meeting recessed at 10:54 a.m. and will reconvene on Friday, April 26th at 8:00 a.m.

Approved May 15, 2013

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date