

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**May 1, 2013**  
Bouchard Building, Goffstown, NH  
Amended 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, J. Hardy, M. Cusson, D. Dionne, L. Gero, C. Kirby, M. Lencki, M. Montminy, B. Moorehead, D. Reidy, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

**1. Call to Order**

Comm. Pappas called the meeting to order at 2:00 p.m. Comm. Holden led the Pledge of Allegiance.

**2. Continuing Budget Discussion**

The Board agreed to postpone its budget until it has addressed administrative business.

**3. Budget Public Hearing (3:00)**

The meeting will recess prior to the Public Hearing.

**4. Administrative Business**

Approval of Payroll Registers

**Motion:** To approve a Miscellaneous Payrolls dated April 26, 2013 in the amount of \$80.00, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

**Motion:** To approve a Regular Payroll dated April 25, 2013, in the amount of \$1,085,840.69, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Approval of Accounts Payable Register:

**Motion:** To approve the Accounts Payable register dated May 1, 2013, in the amount of \$2,969,028.39, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Extradition Vouchers

**Motion:** To approve the following Extradition Vouchers for the period of March 19 to March 21, 2013 in the amount of \$2,427.10, noting that they have previously been approved by the County Attorney. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**5. Public Comment on Agenda Items**

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

## 6. Department of Corrections

### Census

Supt. Dionne presented the Department of Correction's Census. He noted as of April 23, 2013, the total in custody was 588; he explained that there were 458 men, including 146 that had been sentenced and 312 that were being held pre-trial; there were 130 women; 58 of the women had been sentenced and 72 that were being held pre-trial. He informed the Board that there were 160 individuals diverted through the Mental Health Courts-75 from Manchester and 85 from Nashua; additionally there were 21 individuals in the community, and 5 participating in the pre-trial supervision program. Supt. Dionne added that the facility is holding 41 female inmates from Rockingham County.

### Overtime Impact Report

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

Supt. Dionne provided a Certificate for the recent Corrections Officer Academy graduation, which Comm. Holden read into the record; it is titled: **"Hillsborough County, New Hampshire Commissioner's Certification Board."**

It reads:

*"Having successfully completed the requirements pursuant to the Hillsborough County Department of Correction's Correctional Officer Certification Board, this Certificate Affirms the following graduates of the 48<sup>th</sup> Hillsborough County Department of Correction's Training Academy as Certified Correction Officers: Kaitlan M. Balfour, Louis Cassidy, Sean M. F. Griffin, Jordan V. Labrie, Christopher J. K. Leavitt, Christopher J. Linda, Michael J. O'Mara, Matthew R. Ritvo-Cabesas. In witness whereof the signatures are hereto affixed on the twenty-sixth day of April in the year of 2013."*

Toni Pappas, Commissioner, Carol Holden, Commissioner Sandra Ziehm, Commissioner."

Supt. Dionne requested an opportunity to meet with the Board in Non-Public Session later in the meeting relative to RSA 91-A:3 II (e).

## 7. Nursing Home

Mr. Moorehead is expected later in the meeting.

## 8. Old/New Business

Mr. Wenger asked the Board its pleasure relative to acceptance of the FY2012 audit.

**Motion:** To accept the FY 2012 Audit as presented at an earlier meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger informed the Board that the Department of Justice Second Chance Act Reentry Program for Adult Offenders with Co-Occurring Substance Abuse and Mental Health Disorders FY 2013 Competitive Grant Announcement is now out; it the program that the Department of Corrections utilizes for its grant relative to working with the Mental Health organizations, particularly Susan Stearns. The RFP is now out; he offered that it would be appropriate for the Board to re-affirm Supt. Dionne's authority, to submit a proposal.

**Motion:** To authorize the Superintendent to move forward with the Second Chance grant proposal. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The Board discussed its meeting schedule and agreed to meet next on Wednesday, May 15, at 9:00 a.m., and then to continue meeting every two weeks going forward.

Sheriff Hardy respectfully requested that the Board reconsider the reduction in his New Equipment line regarding the vehicles. The Board agreed to address the Sheriff's request following the Public Hearing.

#### Nursing Home Census

Mr. Moorehead presented the Nursing Home Census. He indicated that the Census as of April 25, 2013 was 281; it included 201 Medicaid residents, 37 Private Pay residents and 43 Medicare, Part A residents; he added that census is cyclical, further adding that the Private Pay resident count is down but noted that 43 Medicare residents is a "huge" number. He observed that there are many sick people in the hospitals at this time.

### 9. 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.

### 10. Non-Public Session

**Motion:** To move into Non-Public session relative to litigation consistent with RSA 91-A:3 II (e). Motion by Comm. Holden, second by Comm. Ziehm. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public session at 2:18 p.m.

The Board met with Supt. Dionne and Attorney Kirby, Legal Counsel.

The Board moved out of Non-Public Session at 2:25 p.m.

**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 indemnify County Defendant/Correctional Officer Eldin Medic, pursuant to NH RSA 29-A:2 in the matter of Osahenrumwen Ojo v. Hillsborough County, et al. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To indemnify County Defendant/Correctional Officer Justin Golding, pursuant to NH RSA 29-A:2 in the matter of Osahenrumwen Ojo v. Hillsborough County, et al. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

The Board discussed how it would conduct the Public Hearing.

Capt. Cusson joined the meeting and requested that the Clerk execute the grant application for Adult Education; it provides funding for a teacher who teaches English as a second language. It requires a Certificate of Authority that is generally signed by the Board of Commissioner's Clerk. He added that he is hoping that it can be signed by the Clerk and notarized by Attorney Kirby at today's meeting.

**Motion:** To authorize the Clerk of the Board to sign the Adult Education program resolution for the Department of Corrections. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Capt. Cusson, at the request of Legal Counsel, read the resolution for the record:

**Certificate of Authority**

I, Sandra Ziehm, clerk of the Board of Hillsborough County Commissioners do hereby certify that:

1. I maintain and have custody of and I am familiar with the seal and minute books of the County;
2. I am authorized to issue certificates with respect to the contents of such books and to affix such seal to such certificate;
3. The following is a true and complete copy of the resolution adopted by the Board of the Hillsborough County Commissioners at a meeting of that Board on May 1, 2013, which meeting was held in accordance with the law(s) of the State of New Hampshire.
4. As per the resolution of the Hillsborough County Commissioners, we hereby approve that Hillsborough County may enter into a contract with the State of New Hampshire Department of Education for the provision of services and any modification, extensions, or renewals thereof. This resolution shall remain in force until specifically revoked.
5. The following is a true and complete copy of the minutes of the Hillsborough County Commissioners meeting dated May 1, 2013. Furthermore, on behalf of the Hillsborough County Commissioners, I, Sandra Ziehm, clerk of the County Commissioners of Hillsborough County, New Hampshire, so hereby authorize David M. Dionne, Superintendent, to execute all applicable documents in association with the Adult Basic Education grant for the fiscal year 2014 in order to obtain those monies.
6. The foregoing resolution(s) and by-law(s) are full force and effect, unamended as of the date hereof; and
7. The following person(s) lawfully occupy the office(s) indicated below:  
Toni Pappas, Chair  
Carol H. Holden, Vice-Chair  
Sandra Ziehm, Clerk

In response to a question from Comm. Ziehm, Capt. Cusson indicated that the grant amount is \$32,237, which covers the salary for a teacher for one year. Comm. Ziehm executed the Certificate of Authority.

Following discussion, the Board agreed to meet following the Public Hearing.

Mr. Wenger requested an opportunity to meet with the Board consistent with RSA 91-A:3 III (a) relative to a relative to strategy or negotiations with respect to collective bargaining. Attorney Kirby requested an opportunity to meet with Board consistent with RSA 91-A:2 I (a) relative to a litigation issue.

**Motion:** To meet with Mr. Wenger in Non-Public session consistent with RSA 91-A:2 III (a) relative to a Personnel issue. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

The Board moved into Non-Public session at 2:32 p.m.

The Board met with Mr. Wenger.

The Board moved out of Non-Public session at 2:36 p.m.

**Motion:** To move out of Non- Public session. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The Board agreed to recess to consult with Counsel consistent with RSA 91-A:2 I (b)

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

The meeting recessed at 2:40 p.m. The meeting will reconvene after the Public Hearing.

The Board opened its Public Hearing at 3:00 p.m.

Following the Public Hearing, Comm. Pappas entertained a motion to reconvene the meeting.

**Motion:** To reconvene the meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The meeting reconvened at 3:55 p.m.

Comm. Pappas entertained a motion to move into Non-Public session consistent with RSA 91-A:3, II (a) relative to a personnel issue.

**Motion:** To move into Non-Public session consistent with RSA 91-A:3, II (a) relative to a personnel issue. Motion by Comm. Holden, second by Comm. Ziehm. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

The Board entered into Non-Public Session at 3:58 p.m.

The Board of Commissioners met as a group.

The Board moved out of Non-Public Session at approximately 4:10 p.m.

Comm. Pappas entertained motions.

**Motion:** To budget all Non-Affiliated Wages to include a .5% COLA and a 1.5% Merit increase. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To reinstate one of the Sheriff's vehicles and to amend New Equipment line 4211-7970 by \$31,594 and to fund the line at \$114,171. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried with Commissioners Ziehm and Pappas voting in favor of the motion and Comm. Holden voting against the motion.

Mr. Lencki informed the Board that Liberty Gas is planning to extend its gas line beyond the County Complex. The Board held a discussion relative to bringing gas to the County Complex's gas meter. Mr. Lencki recommending reducing the Fuel line as a result of this action and the potential savings.

**Motion:** To reduce County Complex Fuel line 4198-7650 by \$45,000, and to fund the line at \$75,000. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Further budget motions were offered:

**Motion:** To increase County Complex line 4198-7960, Buildings by \$25,000 to fund the line at \$25,001. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To direct the Commissioner's Office of Administration and Finance to go out with an RFP relative to the Gas line project. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

**Motion:** To increase Revenue Line 3359, Other Grants & Reimbursements by \$250,000 to fund the line at \$525,000. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The Board held a discussion relative to the use of additional Surplus. The Commissioners unanimously agreed that

they did not want to increase the amount of Surplus used to balance the budget beyond the current amount in the proposed budget.

**Motion:** To accept the budget and move it to the next step. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mrs. Castonquay informed the Board that the County Convention will meet at 9:00 a.m. on Friday, May 10<sup>th</sup>.

Mr. Wenger informed the Board that he is hopeful that another collective bargaining agreement will be approved in the near future.

Lacking further business, Comm. Pappas entertained a motion to adjourn.

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

The meeting adjourned at 4:35 p.m.

*Approved 6/26/2013*

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Comm. Sandra Ziehm, Clerk  
Hillsborough County Board of Commissioners

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Date