

Regular Meeting of the
Hillsborough County Board of Commissioners

May 2, 2007
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, G. Wenger, J. O'Mara M. Rusch, Rep. Pilotte, E. Robinson, and R. Pomroy.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 3:43 P.M. J. O'Mara led those present in the Pledge to the Flag.

2. Minutes

G. Wenger advised the Board that there were no minutes available for its consideration at this time.

3. Business Office

Approval of Payroll Register

Motion: To accept the Payroll Register dated 4/19/2007 in the amount of \$1,024,309.35 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Approval of Accounts Payable Register

Motion: To accept the Accounts Payable Register dated 5/1/2007 in the amount of \$3,212,804.95 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Bid # CIS-8-2007: FY07 New Software

Motion: To approve bid #CIS-8-2007 for FY07 New Software to Insight Public Sector of Tempe, AZ, noting that they are the lowest responsible bidder meeting specifications. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Transfer # 2007-19: County Attorney & Law Library Misc. Lines to County Attorney Misc. Lines

Motion: To approve budget transfer # 2007-19 from 4123-7200 in the County Attorney's Office: the current appropriation is \$5,000, the amount to transfer is \$1,500, the projected year-end expenses is \$3,500 and to transfer into the In-State Travel line, which would increase it to \$11,389; from the Law Library, current appropriation is \$35,000 to transfer \$1,500 for postage, which would increase that line to \$10,950. 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 26th was 561. He noted that of the 561, 510 were men, of which 191 were sentenced and 319 were being held pre-trial. He noted that on the women's side of the house, 19 were sentenced, and 19 were pre-trial for a total of 51 female inmates.

Mr. O'Mara presented the Board with a spreadsheet of inmate transfers for F/Y 2007, noting that some of the inmates were transferred in lieu of trial.

Mr. O'Mara presented to the Board, pursuant to the Hillsborough County Department of Corrections, Correctional Officer Certification Policy (A-129), a certificate, which affirms the previous week's graduates of the 36th Hillsborough County Department of Corrections' Training Academy as Certified Correctional Officers, and requested the Board's signature.

Motion: To approve certification for the Officers of the Department of Corrections pursuant to policy A-129 set forth by the Hillsborough County Board of Commissioners Certification Board, to affirm the following graduates of the 36th Hillsborough County Training Academy as Certified Correctional Officers: Gregory Bass, Jerricka Benitez, Tammy Dusablon, Diego Gutierrez, Christopher Jacques, Christopher Janson, Alan Larrabee, Edward Lazzari, David Moloney, Jose Morales, Patrick Shinn, Stanley Smith, Frank Uzzolino, this 2nd day of May, 2007. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Comm. Holden stated that the budget will be going onto the second phase of the process, noting that it is up significantly from the previous year. She requested that the Department of Corrections and Nursing Home review their budgets for any means of reducing the overall budget.

J. O'Mara excused himself at this time.

4. Nursing Home

Census

B. Moorehead was recognized. He informed the Board that the census at the facility on April 26th was 279, of which 209 were Medicaid residents, 39 were Private Pay, 31 were Medicare Part A residents. He noted that Medicare Part A dropped off a little but has been rising towards the end of the week. He stated that the census still remains relatively strong.

E. Robinson joined the meeting at this time.

March Revenue

Mr. Moorehead provided the Board with the March 2007 Revenue Report. He noted that the revenue total was \$1,562,195 with a budgeted amount of \$1,516,471 for a positive variance for the month of March of \$45,724.

Martin's Point Contract

Mr. Moorehead informed the Board that C. Kirby, K. Stevens of Martin's Point Health Care, and he have been working on contract language changes regarding the Martin's Point Healthcare Agreement. He noted that the agreement language is at a point that is satisfactory to Legal Counsel. He listed a few of the issues that Legal Counsel and Martin's Point Health Care have been working to resolve. He requested that a motion to authorize the Nursing Home Administrator to sign the agreement on behalf of the County. Comm. Holden requested a copy of the signed agreement be made available to the Board. Mr. Moorehead noted that the agreement will be advantageous to future Rugs scores.

Motion: To approve the recommendation for the Martin's Point Contract for the Hillsborough County by the Nursing Home Administrator. By Comm. Clemons, second by Comm. Holden for discussion

Comm. Holden offered a friendly amendment that would allow the Nursing Home Administrator to sign on behalf of the County for the Contract, to which Comm. Pappas noted that the amendment could be a second motion.

Motion carried unanimously.

Motion: To authorize the Director of the Hillsborough County Nursing Home, Mr. Moorehead, to sign the contract. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Rep. M. Pilotte joined the meeting at this time.

6. Human Services

E. Robinson was recognized. She advised the Board that this is the time of year to begin planning for the Incentive Fund reviews and grant applications. She stated that over the past few years the process has been reduced to a one-day review, but suggested that a 3 day review process be reinstated for the benefit of Comm. Clemons who would be new to the process. Following a discussion the Board agreed to meet on July 24th with the towns, July 25th to meet with Nashua, and July 26th to meet with Manchester. A discussion followed wherein it was noted that the meetings could commence at 10:00 A.M. Ms. Robinson noted that the Board would have to make a decision on who would be appointed as the third party person. She noted that in the past K. Giaccoponello has filled that role, but that R. Charbonneau has expressed interest in participating. A discussion followed.

E. Robinson inquired if each Commissioner would like to sign their own letters regarding the Incentive Fund Applicants in their district as it has been done in the past. The Board expressed their wishes that they would sign the letters consistent with past practice. A discussion followed regarding advertisement.

7. Old/New Business

Pandemic Planning

E. Robinson advised the Board that she attended a meeting between representatives from the Public Health Network and individuals from the Counties. She noted that M. Cooney described the objective of the meeting and that the reason behind the Public Health Network's desire to work with the Counties is to resolve the issue of authority in the event of an emergency. She noted that in the event of an emergency the Public Health Network would need similar authority to what police and fire departments currently have. She noted that Manchester, Nashua and Portsmouth are the only areas that have Public Health Departments, where as other areas have Public Health Officers. She noted that Comm. Stephens stated that he wanted no disruption of the current system, but that wants the Counties involved. A discussion followed.

Comm. Holden stated that she had a conference call the previous Friday with M. Nelson, and D. Arayas noting that the main concern was to make sure the funding that was coming forward would be allocated properly. A discussion ensued.

Delegation

M. Rusch was recognized. She informed the Board that the State will be conducting a Public Hearing on May 8th at 6:30 P.M. regarding SB 319. Comm. Holden noted that a special commission was set up that has been working on this for over a year. A discussion followed.

Rep. Pilotte was recognized. He inquired about the status of the cell phone request for the Delegation Coordinator, noting that during her vacation she used her personal cell phone to make phone calls for Chairman Essex. Comm. Holden noted that a cell phone for the Delegation Coordinator was included in the F/Y 2008 budget recommendation because all of the County cell phones are in use.

A discussion followed regarding the Public Hearing on May 8, 2007. Comm. Holden described an email she received from D. Lozeau regarding presenting information for the Public Hearing.

Comm. Holden informed those present that there is a Hillsborough County Conservation District meeting on May 3rd at the Milford Town Hall, noting that there will be a representatives from the Piscataquoag River Watershed Association, the NH Association of Conservation Commission and the Society for the Protection of Forests. She stated that F. Mitchell will be there from the UNH Cooperative Extension. She noted that on Saturday, May 5th there will be a Nature Walk of the Hillsborough County forest at Henry Bridge Road from 9:00 AM to 11:00 AM lead by J. Sax and J. Nute. A discussion followed.

Motion: To go into recess. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

The Board went into recess at 4:35 P.M.

Motion: To come out of recess. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

The Board came out of recess at 4:37 P.M.

Budget

G. Wenger informed the Board that the budget as it currently stands is at \$83,805,944, which represents a 5.35% increase in the budget and the taxes are at \$45,729,052, which represents a 4.45% increase in the taxes. He advised the Board that any major changes it makes to the budget would impact the Business's Office delivery of the MS42 and the budget to the Executive Committee. A discussion followed.

Mr. Wenger informed the Board that he spoke with Mr. Moorehead the previous day regarding his expectations of the per diem positions approved for the FY 2008 budget. He stated that Mr. Moorehead advised him that his expectations for these positions were to see them created and funded at \$1. He noted that the action taken by the Board was to create these positions at a certain amount of hours at a specific rate of pay higher than \$1 per hour. He noted that as a result of that, those positions have been fully funded for their amount of hours. He noted that he calculated that by reducing the per diem positions to \$1 the budget could be reduced by \$404,154. Following a discussion, the Board took the following actions:

Motion: To reduce funding for the 4 newly created per diem LPN positions vacant 009723, vacant 009724, vacant 009725, and vacant 009726, and the 2 newly created per diem RN positions vacant 009709 and vacant 009710 in the Nursing Home, Nursing Department 4414 to \$1 each and to make a corresponding reduction in line 7100 Social Security. By Comm. Clemons, second by Comm. Holden.

Comm. Holden noted that this line will reduce line 7010 Salary & Wages by \$158,074, and line 7100 Social Security by \$12,092 for a total reduction of \$170,166.

Motion carried unanimously.

Motion: To reduce funding for a newly created per diem Certified Occupational Therapist Assistant position vacant 009712, newly created Occupational Therapist position vacant 009716, and 3 newly created Physical Therapist positions vacant 009713, vacant 009714, and vacant 009715, and a newly created Physical Therapy position vacant 009711 in the Nursing Home Rehabilitation Department 4421, to \$1 each and to make a corresponding reduction in line 7100, Social Security. By Comm. Clemons, second by Comm. Holden.

Comm. Holden noted that the results of this action will reduce line 7010, Salary & Wages by \$217,360 and line 7100, Social Security by \$60,628 for a total reduction of \$233,988 with this motion; the total reduction of the two motions will be \$404,154.

Motion carried unanimously.

Comm. Clemons inquired how much money would be 1% of the tax rate, to which G. Wenger stated that 1% of the tax rate would be \$457,290. A discussion followed. It was noted that the Board is currently requesting a tax increase of 3.53%.

Motion: To take an additional \$1.5 million out of the Surplus line to reduce the burden on the taxpayers. By Comm. Clemons, second by Comm. Pappas for discussion.

Comm. Pappas inquired where a \$1.5 million reduction would bring the taxes to, to which G. Wenger stated it would make the tax increase .33%.

G. Wenger informed the Board that the final renewal rate from Primex for the Health Insurance will be a 3.4% increase of the current plan design, down from the budgeted 4%. He recommended that, with the understanding that transfers could be needed by the end of the year from some departments, the Board could comfortably reduce the Insurance Lines by \$100,000. Comm. Clemons inquired what the surplus would be if the Board deducted \$1.5 million, to which G. Wenger stated the budgeted surplus as of June 30th should be at approximately \$17.7 million, with the deductions already made by the Board, the additional deduction would bring the surplus to \$10.4 million. He noted that the projection he recently gave to the Board regarding the surplus, the Board would have brought the surplus up to approximately \$16 million. Comm. Clemons inquired what the highest surplus the County has had, to which Mr. Wenger stated that where the County is today is the highest surplus. Comm. Clemons stated that he feels the County owes it to the taxpayers to use the surplus not to hoard it. He noted that the County has more surplus than it has ever had, so he does not feel it is good to raise the tax rate while holding the largest surplus in County History. Comm. Pappas stated that she agrees the surplus should be lowered but not by an additional \$1.5 million. Comm. Holden stated that the Board is already recommending an approximate \$6 million reduction in surplus for capital expenses and for reducing taxes. She noted that the Board has been conservative regarding the use of surplus so the funding would be available when needed. She noted that if the motion passes, she would hope it would be reduced because she feels this reduction is too high.

Motion failed, one in favor, two opposed. Comm. Clemons, yes; Comm. Holden, no; Comm. Pappas, no.

Motion: To take \$1 million out of the Surplus to reduce the burden to the taxpayers. By Comm. Clemons, second by Comm. Holden for discussion.

Comm. Holden noted that she would be willing to reduce the surplus by \$500,000, and that she feels the \$1 million is still too large of an amount. Comm. Clemons stated that he could not see any reason for the Board to hold that much money while asking the taxpayers to take money out of their bank accounts so the County can hold onto it. He noted that as a non-profit government agency he doesn't feel that it is ethically right for the County to be running surpluses. He noted that it is something that governments should not do. Comm. Holden stated that the reason Hillsborough County has been successful is because it has kept the tax rate low. She noted that other Counties have had double-digit inflation as high as 28-37%, and the County has not had to borrow in anticipation of taxes, which has been a savings of \$300,000-\$400,000 per year. She noted that if Hillsborough County can continue in this way, it would be prepared for the "rainy-day" and not be in the same condition the State is in. She noted that the Board has managed Hillsborough County very well, and it has been the Board of Commissioners working with the Executive Committee and making sure the reserves that are necessary are kept. She noted that E. Robinson would be better able to describe what would happen if the County received a \$3 million - \$4 million increase in fees. She noted that she would rather err on the side of caution, and if the situation changes and it looks like more information would be made available, then the decision could be made by the Executive Committee. She noted that this is too early in the budget process to know how the budget will end up at the end of the year. Comm. Clemons stated that \$16 million is about 20% of the County's operating budget and he doesn't feel the County has a right to keep this money in surplus. He noted that he looks at this as ethically wrong, it's too much of a cushion.

Motion failed, one in favor, two opposed. Comm. Clemons, yes; Comm. Holden, no; Comm. Pappas, no.

Motion: To take an additional \$500,000 out of the Surplus line to reduce the burden on the taxpayers. By Comm. Holden, second by Comm. Clemons.

Comm. Pappas noted that she understands both sides of the argument, though she agrees with Comm. Holden that the County needs to be conservative and maintain the surplus for the reasons that she stated, particularly for the tax situation that occurs in the fall. She noted that the County hasn't had to borrow money because it has had the surplus and that is a benefit to the taxpayers. She noted that this is the beginning of the process and there is a chance the surplus may be needed for E. Robinson's or J. MacDonald's budget. Comm. Clemons noted that he had not anticipated that he would be arguing for reduced taxes and being in the minority. He noted that he feels he is looking out for the taxpayers of Hillsborough County and that he would not vote in favor of the motion because he felt it was too low.

Motion carried, two in favor, one opposed. Comm. Holden, yes; Comm. Pappas, yes; Comm. Clemons, no.

Comm. Holden stated that she is not happy about being called unethical, and that she feels that she is acting in the best interest for the taxpayers that she represents. Comm. Clemons stated that he was not calling Comm. Holden unethical, but the process of holding so much money as unethical.

Following a discussion the Board took the following actions:

Motion: To reduce the Health Insurance line by \$100,000, noting the insurance bids have come in at 3.4% and that the amount will be taken from various departments and that if necessary, at the end of next year the Board would be receptive to transfers to cover any discrepancies. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Motion: To extend the County's Health Insurance Contract with Primex, now that the final rate has been received. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

G. Wenger informed the Board that the budget as it stands is at 2.16% for taxes and 4.09% for the entire budget. Comm. Pappas noted that this is the beginning of the process and more information will become available later in the process. Comm. Holden noted that any of the Commissioners have the opportunity to attend the Subcommittee and Executive Committee meetings. A discussion followed.

Motion: To approve the budget with the amendments made today and forward it to the Executive Committee and for the Public Hearing on Monday, May 7th. By Comm. Holden, second by Comm. Pappas. Motion carried two in favor, one opposed. Comm. Holden, yes; Comm. Pappas, yes; Comm. Clemons, yes.

There being nothing further at that time, the Board entertained a motion to adjourn.

Motion: To go into recess. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

The meeting recessed at 5:05 P.M.

(SIGNED 6/13/07)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date