

**Minutes of the Budget Meeting**  
**Hillsborough County Board of Commissioners**

May 5, 2011

Bouchard Building, Goffstown, NH

(Not Official until Approved by the Board and signed by the Clerk.)

**Present:** Comm. S. Ziehm, Comm. C. Holden by telephone conference, Comm. M. Pappas, P. Coughlin, J. Hardy, C. Beaulac, M. Castonguay, M. Estey, D. Reidy, M. Rioux, G. Wenger, and L. Stonner.

**Call to Order**

**Motion:** To come out of Recess. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

The Board came out of Recess at 9:05 a.m.

Comm. Holden was recognized; she was reached by telephone and was able to participate in the meeting via conference call.

Comm. Ziehm opened the floor for discussion.

Comm. Holden indicated that she would like to discuss taking the vehicle assigned to Supt. O'Mara and returning that vehicle to the DOC fleet. Mr. Wenger suggested that such a discussion may appropriately be considered in Non-Public Session consistent with the compensation of an employee.

Comm. Pappas indicated that she would like to discuss the Surplus and the two Human Services programs that were taken out of the budget, namely the ADDE Program and the Family Intervention Program.

Comm. Ziehm indicated that the cost of the ADDE program is \$145,236; she indicated that she would be willing to reinstate the ADDE program if the money could be found elsewhere. Comm. Holden indicated that she does not favor reinstating the program. Comm. Ziehm indicated that it is her belief that the drug and alcohol program is a priority. Comm. Holden indicated that it needs to be the Board making the decision, not the Human Services Director, and that she would prefer that it be discussed in Non-Public Session.

Comm. Pappas noted that she feels that she is obligated to the citizens of the County; that is why she is here, and it is her belief that these two programs contribute to the County. Comm. Holden indicated that Comm. Pappas was grandstanding. Comm. Ziehm indicated that she believes the ADDE program does provide a benefit to the County, to which Comm. Holden responded, "Yes, but how much can the taxpayer afford?" Comm. Pappas indicated that she would like to see the funds that were removed from the Meals on Wheels program reinstated, to which Comm. Holden responded, "You never saw a program you didn't like." Comm. Ziehm requested the discussion remain civil.

Comm. Pappas observed that many people came to the Public Hearing and expressed their support of the programs that were cut. Comm. Ziehm communicated that she toured with the Meals on Wheels program and supports what they do.

Comm. Ziehm observed that she believes in the budget process and noted the importance of each Board member being honest and addressing each other in a civil manner. Following a suggestion from Mr. Wenger, the Board agreed to address its remarks to the Chair, who in turn will recognize each speaker.

The Board further discussed the cost of the ADDE program. Mr. Wenger noted that in one of the proposals, an option was to make the LADEC staff person part-time. In response to a question regarding the cost of the program, and a discussion of the LADEC person being part-time, Mr. Wenger indicated that if the funds already allocated for the two-month transition period were deducted and the LADEC person is part-time, the net cost would be an additional \$89,328. Comm. Holden asked if the LADEC person would receive benefits if he/she worked 30 hours. Mr. Wenger indicated that benefits would not be applicable in this instance. Comm. Holden indicated that it is her belief that the LADEC person could be limited to 20 hours. Comm. Ziehm asked if the position could be eliminated to which Mr. Wenger responded that it could be eliminated; the position provides an experienced Drug & Alcohol Counselor with qualifications that the Social Workers do not have.

Mr. Wenger indicated that \$8,000 should be added to the Revenue line to reflect income that will be received during the two-month transition period for the ADDE program.

Tape recording of the meeting commenced at this time.

Comm. Ziehm indicated that this should best be discussed with Ms. Robinson, who is not available today. Comm. Holden responded, "Oh, of course." Comm. Ziehm responded, "I would suggest that everybody has a right to vacation." Comm. Holden responded, "No." Comm. Ziehm responded, "Comm. Holden, please." Comm. Holden responded, "I'm done." The connection with Comm. Holden was lost at this time. Mr. Wenger indicated that the record should reflect that at 9:30 a.m., Comm. Holden left the meeting. The Board agreed to recess and attempt to reach Comm. Holden to see if she wished to participate in the remainder of the meeting.

**Motion:** To move into recess. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

The Board recessed at 9:31 a.m.

The Board moved out of Recess at 9:40 a.m.

Comm. Holden re-joined the meeting by telephone conference. Comm. Ziehm indicated that each speaker will be recognized before speaking.

Comm. Ziehm recognized Sheriff Hardy. Sheriff Hardy informed the Board that he received a letter from DRED indicating that there will be new fees for communication systems beginning on January 1, 2012; there will be a charge of \$1,000 for the communications equipment at the top of Miller State Park. He indicated that this will impact line 4211-7394, Communications Expenses. He added that he will be asking for that line to be increased at the Delegation level, and he wished to inform the Board of the expense.

Sheriff Hardy requested that the Board reconsider Superior Court Bailiff line 4215-7390, Other Supplies; he respectfully requested that the funds be reinstated for ammunition expense for the Court Officer Training; he indicated that he recognizes philosophically that there are those who feel, including himself, that the State should be paying this expense; however, the bottom line is that his Department is charged with policing the Courthouses and they are required to be trained with firearms annually. He noted that the line was reduced to \$1 but stressed that this funding is necessary; he indicated that the line was originally funded at \$4,000, but he would be willing to consider a lesser amount.

Sheriff Hardy pointed out that Transfer #11-18 is pending at the Executive Committee level; it was approved by the Board and tabled by the Executive Committee two weeks ago; he explained that if the

Transfer is not approved, it will be necessary for him to adjust his New Equipment request upward by \$31,893. He further explained that Legal Counsel is reviewing how the funds can be used.

Sheriff Hardy indicated that he has received a request from the State of NH, Department of Safety, Homeland Security-Emergency Management regarding RERP Training; he noted that this is related to a reaction to a critical incident at the Nuclear Plant in Seabrook and the Sheriff Department's involvement. He explained that his Department works with the Manchester Fire Department and State officials, and that one of the schools would be an evacuation center. He further noted that he will be requesting approval of an increased appropriation of \$60,080 for line 4217-7010, Sheriff Details-Salaries & Wages, and explained that the expense will be offset 100% by revenue from the State Department of Homeland Security. He noted that this request came in subsequent to approval of the budget. Discussion ensued regarding when the Sheriff became aware of this training.

Following discussion with Sheriff Hardy relative to his request for ammunition, and the amount he could get by with, Comm. Pappas made the following Motion:

**Motion:** To increase Superior Court Bailiffs line 4215-7390, Other Supplies by \$1,899 to fund the line at \$1,900. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried two to one with Comm. Holden voting against the motion.

Comm. Ziehm indicated that she would like to address new vehicles while the Sheriff is at the meeting, noting that she has discussed this with Sheriff Hardy and Attorney Kirby, further noting that Att'y Kirby explained to her that if the Sheriff's Department feels that it truly needs the second new vehicle, it was her opinion that the funds could be taken from the Drug Asset Forfeiture Fund. She stepped down as Chair to make a motion to remove an additional vehicle.

Comm. Pappas entertained a motion.

**Motion:** To reduce Sheriff's line 4211-7970, New Equipment by \$27,258 to fund the line at \$30,758. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried two to one with Comm. Holden abstaining.

Sheriff Hardy asked the Board if it were willing to take action relative to the RERP Training, noting that the Department does have a commitment to the State to help in the event of an incident; he stressed that there will be 100% offsetting revenue of \$60,080. Discussion ensued relative to the Sheriff's request, and the Sheriff's Detail expense. Following a question from Comm. Ziehm, Sheriff Hardy explained that the Sheriff's Detail expense (excluding Seabrook) is based on previous years; he noted that this is the line for the expense of Sheriff's Deputies who provide a service for other local agencies and explained that there is an offsetting Revenue line for the payments for those services. Comm. Ziehm asked about the feeling of the Delegation in the past. Sheriff Hardy indicated that the line does generate discussion, but has been approved in years past.

Comm. Holden communicated that she is concerned about the taxpayer. She asked if the Sheriff was still present; Comm. Ziehm responded in the affirmative. Comm. Holden communicated, "I am concerned about the cars going home at night with the cost of gas, and I understand that the Deputies are on call from the time they leave their house until they return home." She asked, "Is that necessary?" She said, "My main concern now is that we have a Surplus, and we are no longer going to have that with the way the spending is going up and up, and up, and I am concerned that these issues did not come up at the Public Hearing, but they are coming up today, and I am absolutely astonished that we can be adding to the budget today, and that is all I have to say. I will not second any motions to add things; I will abstain from voting because I am concerned for the taxpayers."

Sheriff Hardy explained that the request came up from the Department of Homeland Security subsequent to his submittal of his budget, and noted that he certainly respects whatever decisions the Board makes. He noted that as an Elected Official, he too is concerned about controlling spending as well as maintaining the demands on the office and the operations needs of the agency.

Comm. Ziehm asked, "Is this the only way that money can be used; is there some other venue that can be used so that it does not have to go into the budget because it seems that we are getting it back." Mr. Wenger explained that by law, any expenditure by Hillsborough County has to be appropriated by the Delegation. In response to a question from Comm. Ziehm, Sheriff Hardy explained the Sheriff's Detail line. He noted that his Department receives requests from local Police Departments and occasionally from the State Police for extra details that they cannot cover, such as Traffic Control, or help in the Towns. Comm. Ziehm asked if the County is required to provide this service by State RSA; Sheriff Hardy explained that it is a supporting role; he noted that when they receive a request, they try to honor it. Comm. Ziehm asked if they reciprocate; Sheriff Hardy explained that if his Department was to do interim patrols for the Towns, it would be compensated. He added that if the Sheriff's Department had an emergency "right now," he is confident that the local Police Chiefs would provide assistance and not charge the County, as would the State Police.

Mr. Wenger asked for clarification regarding whether the \$60,080 included roll-ups. Chief Estey explained that the Department will be reimbursed up to \$60,080, but the exact figure is not known. Following discussion, it was agreed that the total, including roll-ups would not exceed \$60,080. Mr. Wenger noted that if this expense is added to the budget, it would be appropriate to add the same amount to Revenue line 3409.

Comm. Ziehm asked for documentation relative to when the Sheriff's Department was made aware of the \$60,080. Chief Estey indicated that the request initiated in March, but has been up in the air as to what the amount would be. Comm. Ziehm indicated that this should have gone into the budget at that time; Sheriff Hardy indicated that the request came subsequent to when his budget was submitted, but the amount was not confirmed. Comm. Ziehm indicated that anything that comes forward at this late date should come with some verification. Sheriff Hardy indicated that he brought it to the Board's attention, but it may choose not to address it, in which case, he will address it at the Sub Committee. Comm. Ziehm indicated that she strongly believes in the process and does not question the Sheriff's integrity, but suggested that the Board needs to establish this as a process.

**Motion:** To increase Sheriff's Detail line 4217 by \$60,080, and to fund the Department at \$150,581, noting that this will be offset by Revenue. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried two to one with Comm. Holden opposed to the motion.

Comm. Holden indicated that she does not favor increasing the budget by \$150,000 plus. Comm. Pappas said, "We are not increasing the budget by any amount, it is going to come back in Revenue." Comm. Holden responded, "I'll believe it when I see it, thank you."

Mr. Wenger indicated that it would now be appropriate to increase the Revenue line.

**Motion:** To increase Revenue Line 3409, Sheriff's Department-Detail Income by \$60,080 to fund the line at \$150,581. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried two to one with Comm. Holden opposed.

Mr. Wenger explained that the intent is that the Revenue side of the budget equals the Expense side.

Comm. Ziehm recognized Register Coughlin. Ms. Coughlin referred to an earlier discussion regarding the Registry; she noted that since employees were in negotiations with the Teamsters until yesterday, she

could not bring forward a suggestion until today. Ms. Coughlin requested that the Board change a position from Assistant Department Head to a new position, that of Manager. She indicated that the person has been doing the duties of a Manager. Mr. Wenger indicated that this discussion should reference positions, not individuals. Following questions and discussions, it was agreed that Ms. Coughlin was looking to eliminate one position and create another. There was further discussion about the proposed action including additional cost, effective date of change, duties, and financial impact. Mr. Wenger indicated that in order to create a position in Hillsborough County, the Board of Commissioners would have to approve the position change and then the Executive Committee would have to approve it; he added that the Board does have the authority to eliminate a position. Register Coughlin indicated that in addition to changing the position, she would also like to give the person an increase. Comm. Ziehm noted that she would like to see the impact; Ms. Coughlin indicated that the new position would cost approximately \$2,500 more. Comm. Pappas asked if there was money in the Registry's budget for the change.

Mr. Wenger indicated that while the Board can take whatever action it wishes; he noted that if the new position would be at a higher salary than the one eliminated currently, there is no money in the budget to cover the higher salary for next year. Mr. Wenger explained that the current position is budgeted at \$49,106, and, as presented, the proposed new position would be at \$51,606 as of July 1<sup>st</sup>. Comm. Ziehm noted that this request is coming at a late date and it is difficult to make changes at this point. Ms. Coughlin added that she did not learn that there would not be a union until the previous Friday, thus she was unable to bring this forward earlier. Comm. Ziehm indicated that approving this request is contrary to the Board's desire to reduce the budget rather than increase it prior to handing it over to the Delegation.

Comm. Pappas asked if it would be helpful to have the position changed and let the Executive Committee make any further decision, noting that the Board does not favor increasing the budget. Ms. Coughlin indicated that would be acceptable. Mr. Wenger offered another approach would be to take no action, and wait for the Executive Committee to act on this request. He indicated that should the Board wish to act today, it could eliminate the position of Assistant Deputy Head/Proof Reader and create the position Manager-Data Entry Proof Reader and to fund the position at \$49,106; another option would be to change the Job Description. Following discussion, the Board agreed to take no action at this time and to wait for the Register to speak with the Executive Committee. Mr. Wenger noted that the Board will be meeting again and could approve the change should the Executive Committee indicate a willingness to approve the change at its next meeting. Comm. Ziehm asked if the Board could deny Ms. Coughlin the privilege of asking the Delegation for the change. Mr. Wenger responded that the Board could not deny the action, noting; however, that asking the Executive Committee would be fruitless if, in fact the Board is not going to support it because a position cannot be created if the Board does not support it. There was further discussion relative to the wisdom of going forward and the fact the requested increase represents a 5% increase. Comm. Holden did not wish to comment.

Register Coughlin added that if the Board truly needed further cuts, there could be an additional \$10,000 taken from the Printing and Binding line; she noted that it would be taken from the Binding portion of the line.

**Motion:** To reduce Registry of Deed's line 4193-7350, Printing & Binding by \$10,000 to fund the line at \$65,000. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried two to one with Comm. Holden opposing the motion.

Comm. Ziehm thanked Register Coughlin for offering the cut to the Printing & Binding line.

Comm. Ziehm stepped down as Chair to make motions.

**Motion:** To cut all Out-of-State Travel across the County. Motion by Comm. Ziehm.

Comm. Ziehm indicated that cutting Travel-Out of State will save \$11,000.

Motion failed for lack of a second.

**Motion:** To direct the Business Office to incorporate the cost of a 1% performance adjustment for Non-affiliated employees for only those employees whose wage is under \$40,000. Motion by Comm. Ziehm, second by Comm. Pappas for discussion.

Comm. Ziehm indicated that she would like to limit the increase to those under \$40,000 because it is her belief that if the Board does not make this cut, it will be done at the Executive Committee level; she said, "This will help those people who are at the lowest salary scale; noting that that is almost at poverty level." In response to a question from Comm. Pappas relative to what the savings would be, Mr. Wenger responded that the cost for the increase as it is currently is \$9,147 with roll-ups. There are 19 non-affiliated employees making between \$40,000 and \$54,000, and there are 21 employees making less than \$40,000; making this change would save approximately an additional \$3,500. There are a total of 108 non-affiliated employees, or 19% of the total employees. Comm. Holden indicated that she did not wish to comment. Comm. Pappas indicated that she has mixed feelings regarding this issue; she indicated that she is unsure if the savings justifies the action. Comm. Ziehm explained that when she looks at raises, the people who really need it are those in the lower tier, and she is concerned that the Executive Committee is going to "cut to the bone," no matter what the Board does. Comm. Pappas indicated that from her point of view, the Board needs to think about all its employees and be fair to them; she noted that since the non-affiliated are not in a union, they are "out there on their own," and added that she would not support the action.

Motion failed with Comm. Ziehm voting in support of the motion and Commissioners Pappas and Holden voting against the motion.

Comm. Ziehm indicated that she would like to discuss the UNH Cooperative Extension; she noted that one of the comments discussed by a Representative at the Public Hearing was that some of the smaller Departments did not share in the sacrifices, and to some extent, she understands that they don't have as much to cut, but she would like address the Cooperative Extension, noting that if it is going to regionalize; and if they merge, she would assume that each Cooperative Extension will likely lose people, so she would like to discuss eliminating one of the positions in that Department at this time; she noted that she would like to see them make a bigger sacrifice by eliminating one of their Administrative Assistants or one of their educators. Comm. Holden indicated that the County has a contract with the UNH Cooperative Extension that she believes expires in 2012; she suggested that the Board review the contract to learn what the County is required to do. Comm. Ziehm noted that she is aware that there is a contract, but added that a position could be eliminated at the end of the contract, and if the other two Commissioners feel that there needs to be another cut in that Department, that would be the first recommendation; she noted that the Board could decide whether it would be an educator or an administrative assistant. Comm. Pappas noted that as Comm. Holden stated, there is a Memorandum of Agreement with the University of NH; she indicated that it is her belief that that Memorandum of Agreement is the responsibility of the Executive Committee and the Delegation to decide what to do with this issue, not the Commissioners. She indicated that she would like to leave that budget alone. Comm. Ziehm noted that she wished to make her motion known so that she would be on record. Comm. Pappas indicated that she thinks that the Board should enter into a discussion in 2012 and give thought and planning to regionalization of the Cooperative Extensions. Comm. Holden indicated that NHAC is discussing the issue currently. Comm. Holden indicated that eliminating a position would require eliminating the most recent hire. Mr. Wenger asked a clarifying question regarding whether it is Comm. Ziehm's intent to eliminate a position or reduce the bottom line; an option would be to have the positions part-time instead of full-time.

**Motion:** To eliminate Position # 401641001 in the Cooperative Extension Department. Motion by Comm. Ziehm. Motion failed for lack of a second.

Comm. Ziehm entertained a motion to move into Non-Public Session to discuss personnel.

**Motion:** To move into Non-Public Session consistent with RSA 91-A: II 3 (a) for 2 personnel issues. Motion by Comm. Holden, second by Comm. Pappas. Pappas-yes, Holden-yes, Ziehm-yes. Motion carried.

The Board moved into Non-Public Session at 10:53 a.m.

The Board discussed two personnel issues. No action was taken.

The Board moved out of Non-Public Session at 11:14 a.m.

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

Comm. Ziehm entertained motions.

**Motion:** To reduce the Department of Corrections line 4230-7720, Gasoline, Oil, by \$1,680 to fund the line at \$15,120. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried with Comm. Pappas voting against the motion.

**Motion:** To reduce the Department of Corrections line 4230-7730, Auto Repairs by \$1,200 to fund the line at \$10,800. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried with Comm. Pappas voting against the motion.

**Motion:** To no longer authorize Supt. O'Mara's personal use of a County vehicle, and to return the vehicle to the Department of Correction's fleet. Motion by Comm. Ziehm. Second by Comm. Holden. Motion carried with Comm. Pappas voting against the motion.

The tape failed for several minutes.

Mr. Wenger explained that it would be important to sit with Mr. O'Mara to discuss the previous motion; he explained that it is his understanding that the personal use of the vehicle has been a part of the Superintendent's compensation and the Board should have a discussion relative to the terms of his employment. Comm. Holden commented regarding Mr. O'Mara's involvement in the loss of the contract for Federal prisoners and noted that it appeared that Mr. Wenger was advocating for the Superintendent. Mr. Wenger responded that he was not advocating for anyone, but was suggesting that prior to taking away the car; it is in the best interest of the Board to have a discussion with Mr. O' Mara where the vehicle has been seen as a part of the terms of his employment. Comm. Ziehm indicated that she did not see Mr. Wenger as advocating. She asked if this was written in his contract and offered that perhaps this should be discussed with Attorney Kirby. Comm. Ziehm asked the Board if it wished to call in Att'y Kirby to determine if the Superintendent has a contract that stipulates that he gets a vehicle. Mr. Wenger responded that there are no written employment contracts in Hillsborough County, and once again suggested that it be appropriate to have a discussion with Mr. O' Mara. Comm. Ziehm asked to have Att'y Kirby come in to review this issue because she does not wish to create a liability and go to court over a \$3,000 savings. Comm. Holden indicated that she too does not wish to go to court; she stated, "If we had a real Legal Counsel, I would say, yes, bring her in, but we don't." Comm. Ziehm respectfully disagreed and noted that she feels that the County's Legal Counsel is very real and she has the greatest of

respect for her. She said, "So far, Att'y Kirby has given me exceptional counsel and I would like to hear from her."

Comm. Holden responded, "Maybe you ought to hear from her how she walked out of the County Attorney's Office and took all her files with her and would not talk to John Coughlin, and then was hired by the Delegation. She said, "I mean, Sandra, I know too much, and I am going on mute now." Comm. Pappas asked if it would be wise to consult with Attorney Kirby, to which Mr. Wenger responded that could be done at a later time. He suggested that the Board move on. Comm. Ziehm explained that if this is a legal liability, she may reverse her vote. Mr. Wenger responded his suggestion would be to revisit the issue at a later date.

Comm. Pappas indicated that she would like to address the Meals on Wheels program and presented a motion.

**Motion:** To level fund at the FY2011 level, the Special Project's Meals on Wheels Program. Motion by Comm. Pappas, second by Comm. Ziehm for discussion.

Comm. noted that it is her opinion that Meals on Wheels is a program that prevents seniors from declining in health and keeps them at home longer. She indicated that this is a tough time for Meals on Wheels; it certainly falls under the philosophy of the County to take care of its elders and is another cost savings down the road by keeping a few senior citizens from entering our Nursing Home. She noted that she advocates for the program and explained that they made a very good case at the Public Hearing for why the funding should be continued. Comm. Ziehm noted that she does not disagree about the value of the program; she noted that the cost is a little over \$7.00 for a meal; she noted that one could purchase a frozen meal for three bucks; however, the other consideration is the cost to have it delivered. She noted that she does see value in the program, but these are tough times and "if the Board sends it to the Delegation without a cut..." Comm. Pappas indicated that it is a cut; they asked for \$71,000, and she would reduce this by \$3,500. Comm. Ziehm noted that this is a compromise as it is. Comm. Pappas noted that one of the Representatives favored level-funding the program, and that her motion would reduce it to last year's level of \$71,500. Comm. Ziehm indicated that she would like to see it left as it is and explained that she sees that as a compromise, and it has more of a chance of being approved at the Delegation level. Comm. Pappas pointed out that one of the Representatives indicated that he would have voted to keep it level-funded. Comm. Holden indicated that in the past, the County had more Special Projects and the Meals on wheels program is the only one remaining. She noted that Special Projects has a meaning; it means that they remain special programs for a limited time, and then they go out on their own. She explained that Meals on Wheels has never gone away and noted that while she donates personally to it every year, she does not believe that the program should be a liability on the taxpayer. Comm. Pappas explained that she chaired the Board when the other Special Projects were eliminated, but noted that she always felt that this particular program had such a benefit in cost savings for the County that it should keep it.

Motion failed one to two with Comm. Pappas voting in favor of the motion and Commissioners Holden and Ziehm voting against the motion.

Comm. Holden indicated that she would like to address increasing the amount of Surplus in the budget. And explained that she is not in favor of increasing it above the current level of \$2,000,000. Comm. Ziehm noted that her concern is that next year promises to be a more difficult year than this year because of starting the budget year with \$6,000,000 less when considering this year's use of Stimulus funds of \$4,000,000 in addition to \$2,000,000 in Surplus. The Board discussed the possibility that the Delegation could reduce the budget even further. In response to a question from Comm. Pappas, Mr. Wenger explained that a 1% reduction in taxes equals an amount of \$441,000, and a reduction of \$1,000,000 is equal to 2.27%.

Comm. Pappas stated her motion:

**Motion:** To use \$3,000,000 from Surplus to reduce the amount to be raised by taxes. Motion by Comm. Pappas, second by Comm. Ziehm.

Comm. Pappas indicated that her previous motion is in response to a taxpayer, a Representative, and others who spoke at the Public Hearing and requested that taxes not increase. She added that if the Delegation does not reach a consensus on a budget, the Commissioner's budget becomes would become the County budget so the Board should leave the table being comfortable with its budget, and not worry about what comes next. Comm. Holden noted that she is also aware of that fact, and opined that it is time to stand up and be counted. Comm. Ziehm explained that while she agrees that a 6% increase is more than she would like to see, she favors leaving the budget as it is because next year will be worse. Comm. Pappas expressed her belief that a 6% increase in the amount to be raised by taxes is high, and she would have preferred to use an additional \$1,000,000 from Surplus and lower that tax amount by 2.77%.

Mr. Wenger explained that before any changes were made today, the reality is by way of example, the City of Manchester would be sent a bill of approximately \$500,000 more than it was last year. He noted that the \$500,000 would be divided amongst a ten billion dollar assessed valuation; he added that if Comm. Pappas, for example, who lives in Manchester, had an increase of even a penny added to her \$1 tax rate, he would be surprised. He offered that after working with the budget for ten years, and after giving this much thought, the Board may be doing itself a disservice by talking about per cent increases.

Mr. Wenger further explained that when one looks at a per cent increase in the community, it is an actual increase in one's taxes; however, it is important to understand that from a County perspective, the 6.2% increase is spread across the entire County, so the residents of Manchester, for example, would be paying about 20% of that 6.2%, or about \$500,000. He went on to explain that the County is not passing on a 6.2% tax increase to a City or Town; a bill of approximately \$500,000 more would be sent to Manchester, for example, which will be distributed amongst all its taxpayers.

In response to a question from Comm. Ziehm regarding how significant the increase may be for an individual, Mr. Wenger responded that to some people, any increase is significant; however, from a dollar standpoint, it will be well below a dollar for everyone. Comm. Pappas agreed that the increase is not significant, and noted that the County tax is extremely low and the taxpayers get good service for the tax; however, there are those who use percentages as a way to criticize the County for raising taxes. She asked the other two Commissioners if they would be willing to compromise and add a half million to budgeted use of Surplus. Comm. Ziehm thanked Mr. Wenger for his explanation of the tax impact and noted that she has a better understanding of the impact on the taxpayers. Comm. Ziehm and Comm. Holden indicated that they were unwilling to increase the use of Surplus and voted accordingly.

Motion failed with Comm. Pappas voting in support of the motion, and Commissioners Holden and Ziehm voting against the motion.

The Board agreed to go into Recess.

**Motion:** To go into Recess to consult with Counsel. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

The Board moved into Recess at 11:40 a.m.

Comm. Holden's phone connection was terminated for the recess.

Comm. Holden was called and returned to the meeting and the Board moved out of Recess at 12:58 p.m.

**Motion:** To come out of Recess. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

**Motion:** To go into Non-Public Session consistent with RSA 91-A:3 II (a) relative to a personnel issue. Motion by Comm. Pappas, second by Comm. Ziehm. Pappas-Yes, Ziehm-yes, Holden-no. Motion carried.

Comm. Holden indicated that each Commissioner has to be polled relative to entering Non-Public Session; she indicated that she did not want to participate in the Non-Public Session. There was discussion to clarify whether Comm. Holden was saying that the Board could not enter Non-Public Session unless all Commissioners agreed. Comm. Holden indicated that she was opposed to going into Non-Public Session.

The Board moved into Non-Public Session at 12:59 p.m.

Comm. Holden left the meeting during Non-Public Session.

The Board moved out of Non-Public session at 1:07 p.m.

Comm. Holden rejoined the meeting.

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

Comm. Ziehm indicated that she would like to move to reconsider her earlier motions regarding the Superintendent's use of a County vehicle and related motions.

**Motion:** To reconsider the motion to reduce the Department of Corrections line 4230-7720, Gasoline, Oil, by \$1,680, and to fund the line at \$15,120. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried two to one with Comm. Holden opposed.

Comm. Ziehm indicated that she made the three earlier motions based on a lack of knowledge regarding the history of the Superintendents of the Department of Corrections use of a vehicle, and it appears that there were three Superintendents prior to Supt. O'Mara, all who had a vehicle as a part of their compensation package; she noted that many of these dated back before the Federal prisoners were removed; she indicated that she did not have the history. Comm. Holden added, "Before Mr. O' Mara told them to 'F' off." Comm. Ziehm noted her request that the previous statement be included in the record. The Scrivener indicated that she did not hear the remark clearly. Comm. Ziehm replied, "Before Mr. O' Mara told them to 'F' off." Comm. Holden explained that she was referring to when they took all the Federal prisoners out of the DOC, and that the County was making six million on those prisoners. She indicated that that information cannot really be documented now because the only person who was in the room with her was Commissioner McDonough, and she heard it being said.

Comm. Ziehm addressed the reconsidered motion:

**Motion:** To reduce the Department of Corrections line 4230-7720, Gasoline, Oil, by \$1,680, and to fund the line at \$15,120. Motion by Comm. Ziehm, second by Comm. Pappas.

Comm. Holden requested documentation regarding the use of the car. Comm. Ziehm indicated that she would have been very happy to share that information with Comm. Holden in Non-Public Session, but she chose not to stay. Comm. Ziehm indicated that she will be very happy to write down the information

and share it with Comm. Holden, if necessary. Comm. Ziehm indicated that a vote should be taken regarding the motion on the floor.

Comm. Holden indicated that she would like to make a motion to restrict the use of the vehicle by Mr. O' Mara to be for County business only. Comm. Ziehm indicated that that motion was already passed and her next motion will be to give it back to him. Comm. Holden said, "I live in Amherst and I see the car everywhere, I have been at School Board meetings where he has been there; the lights have been left on in the vehicle and I had to go in and tell him to turn the lights out. I have seen it at restaurants; he uses that car for his personal use, and I want to make sure it is just for County use, and not to go to Board of Selectmen's meetings, not to be going to School Board meetings, and such. I would like to have some restrictions on his personal use of the vehicle because the County is liable; everybody is worried about lawsuits."

Comm. Ziehm noted that it is her understanding that Mr. O' Mara uses that car because even when he is at a personal event, he is "on call;" he could be at a personal wedding and if an emergency happened at the prison, he would leave and go to the prison. Comm. Holden questioned why then, does he have an Assistant Superintendent, noting that he can argue his position; she noted that she has seen more misuse of that car, but that is only her opinion; she added that she will continue to observe where she sees him.

Motion failed one to two with Comm. Holden voting in support of the motion, and Commissioners Ziehm and Pappas opposed.

**Motion:** To reconsider the motion to reduce the Department of Corrections line 4230-7730, Auto Repairs by \$1,200, and to fund the line at \$10,800. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried two to one with Comm. Holden opposed.

**Motion:** To reduce the Department of Corrections line 4230-7730, Auto Repairs by \$1,200, and to fund the line at \$10,800. Motion by Comm. Ziehm, second by Comm. Pappas. Motion failed one to two with Comm. Holden in support.

Comm. Ziehm addressed the personal use of a vehicle.

**Motion:** To reconsider the motion to no longer authorize Supt. O'Mara's personal of a vehicle, and to return the vehicle to the Department of Correction's fleet. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried two to one with Comm. Holden opposed.

Comm. Holden noted that she is opposed and explained that she is a conservative.

**Motion:** To no longer authorize Supt. O'Mara's personal of a vehicle, and to return the vehicle to the Department of Correction's fleet. Motion by Comm. Holden, second by Comm. Pappas. Motion failed one to two with Comm. Holden voting in support of the motion, and Commissioners Pappas and Ziehm opposed.

The Board discussed the establishment of a Capital Reserve Fund. Comm. Holden added that it is important to note that the Board took money out of the County Complex budget assuming that the County will go forward with the creation of the Capital Reserve Fund account, so if the County does not approve the Capital Reserve, the funds need to be added back into the Complex budget. The Board addressed the motion.

**Motion:** To request the establishment of a Capital Reserve Fund account consistent with NH RSA 35:1 for the purpose of the renovation and improvement of the lands and buildings owned by Hillsborough County including the lands and buildings known as the Hillsborough

County Complex property in Goffstown, NH including but not limited to the purchase of goods and services for the engineering and design of improvements, construction, reconstruction, renovation and repair of new and existing buildings and structures, and transportation improvements and to designate \$1,000,000 of the Undesignated Fund Balance to fund the account. By Comm. Pappas, second by Comm. Ziehm. Motion carried unanimously.

Mr. Wenger noted that today's actions the budget has been reduced by approximately \$30,758.

Mr. Wenger recommended adding the Revenue for the continuation of the ADDE Program fees, which have not been included in the budget, but should be.

**Motion:** To add \$8,000 to the Revenue line 3356, Diversion Program Fees to reflect the income for the two-month program's ramp-down period. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried two to one with Comm. Holden opposed.

Mr. Wenger noted that the budget estimate at this point is \$85,561,899, subject to verification of his figures; the amount to be raised by taxes will be going down because of today's actions.

Comm. Ziehm inquired about a wage freeze for those with wages above \$80,000 to which Mr. Wenger responded that the earlier motion to give a 1% increase to only those whose wage is under \$54,000 has essentially frozen wages for everyone making over \$54,001.

**Motion:** To approve a budget recommendation, as discussed. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried two to one with Comm. Holden opposing.

Comm. Holden left the meeting. There being no further business, Comm. Ziehm entertained a motion to adjourn.

**Motion:** Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

The meeting adjourned at 1:27 p.m.

*Signed 9/21/11*

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Comm. Carol H. Holden  
Vice Chairman/Clerk  
Hillsborough County Board of Commissioners

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Date