

Regular Meeting of the
Hillsborough County Board of Commissioners
May 6, 2010
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. Pappas, Comm. C. Holden, Comm. M. Clemons, C. Pappas, L. Movsesian, C. Kirby, B. Moorehead, J. O'Mara, D. Reidy, M. Rioux, E. Robinson, M. Rusch, E. Casey, G. Wenger, and L. Stonner.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 10:06 a.m., followed by the Pledge to the Flag led by C. Pappas.

2. County Treasurer

Investment Policy

Commissioner Pappas recognized County Treasurer, C. Pappas. He addressed the Board and distributed copies of the Investment Policy, noting that the policy was adopted in late 2008; he explained that he has reviewed the policy and does not see a need to change it at this time. Mr. Pappas confirmed that the policy is consistent with the RSA's. Following discussion, the Board agreed to accept the policy.

Motion: To accept the Investment Policy as presented. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Pappas presented the Board with a request to waive a penalty for late payment of taxes on behalf of the Town of Lyndeborough. He explained that there were extenuating circumstances; the Town was significantly affected by the ice storm and additionally, there was a turnover of personnel and the report was not seen for several weeks. Also, the Town Office was without electricity for several weeks; roads were impassable and the business of Town government did not continue as it should as the Town was focused on disaster relief. Mr. Pappas asked the Board if it would accept the payment made as payment in full because of the hardship, and if the Board would authorize him to send a letter to that effect. The Board supported his request and the Treasurer agreed to forward a letter indicating that no further payment is due.

Mr. Pappas excused himself from the meeting.

3. Administrative Business

Comm. Pappas noted that the Board would address administrative business at this time.

Minutes

Motion: To approve the minutes of the Board of Commissioner's Budget Meeting held on March 17, 2010. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve the minutes of the Board of Commissioner's regular meeting held on March 24, 2010. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve the minutes of the Executive Committee meeting held on March 26, 2010. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve the minutes of the Board of Commissioner's regular meeting held on April 7, 2010. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Payroll Register

Motion: To approve the Payroll Register dated April 29, 2010 in the amount of \$1,127,421.15, subject to review and audit. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Accounts Payable Registers

Motion: To approve the Accounts Payable Register dated May 4, 2010 in the amount of \$3,923,949.01, subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Pappas noted that there were Telephone Polls before the Board.

Telephone Polls

Comm. Clemons explained that a Telephone Poll of the Board was conducted on Friday, April 24, 2010 and Monday, April 26th at the request of the Nursing Home Administrator seeking authorization to fill a Charge Nurse position, #303312010 originally budgeted at one dollar. He noted that each Board member was contacted and expressed support for the action.

Motion: To affirm the Board's action taken during the Telephone Poll. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Holden presented a Telephone Poll that was conducted on April 26, 2010 at her request to rescind the action of the Board taken at its meeting on April 23, 2010 wherein it approved a motion to budget for a 3% merit increase for non-affiliated employees. She noted that it was approved 3-0, and the motion carried.

Motion: To approve that portion of the Telephone Poll related to rescinding the Board's action. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden went on to explain that the second portion of the Telephone Poll related to a new budget recommendation relative to the non-affiliated employees.

Motion: To move to direct the Business Office to include in the Board's budget recommendations funding to support a 0.5% July 1, 2010 COLA increase, and a 2.5% anniversary date performance increase for non-affiliated employees. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: Comm. Clemons moved to affirm a Telephone Poll of the Board that was conducted on April 30, 2010, to recommend a FY2011 budget of \$88,029,529 with an amount to be raised by taxes of \$41,453,438, and to direct the County Administrator to deliver the budget recommendation to the Executive Committee. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Holden noted that the Budget represents a 1.64% increase in expenses, and the amount to be raised by taxes is reduced by 7.3%; she further explained that this is primarily due to the ARRA funds, but noted that next year will be difficult and there will be a structural deficit of somewhere between 15 and 17 million.

Mr. Wenger noted that the latest Telephone Poll is the result of action that the Board took on Friday, April 23rd. Mr. Wenger noted that he would like to have a discussion with the Board relative to revenue, and further noted that he received email information relative to the extension of the ARRA funding and alternative

approaches that the Board could consider. The Board agreed to a discussion later in the meeting.

Transfers

Comm. Pappas noted that there are transfers before the Board today

Transfer # FY 2010-30 – Temple Street

Motion: To approve Transfer # FY2010-30, to transfer the amount of \$1,500 from Other Fees & Services, line 4197-7290, and to transfer the amount of \$300 to Sewer Expense line 4197-7640, and to transfer the amount of \$1,200 to Trash Disposal line 4197-7830. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Transfer # FY 2010-31 – County Attorney

Motion: To approve Transfer # FY2010-31, to transfer the amount of \$10,500 from the Law Library Other Fees line 4195-7290, and to transfer the amount of \$4,000 from the County Attorney Extraditions line 4123-7411, and to transfer the amount of \$14,500 to the County Attorney New Equipment line 4123-7970, noting it is for the purchase of a new copy machine. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Transfer # FY 2010-32 - Nursing Home

Motion: To approve Transfer # FY2010-32, to transfer the amount of \$9,500 from the Nursing Home Administration line 4411-7120, and to transfer the amount of \$10,500 from the Nursing Home Barber/Beauty line 4419-7120, then to transfer the amount of \$5,000 to Nursing Home Social Services line 4418-7120, and to transfer the amount of \$10,000 to Nursing Home Dietary line 4413-7120, and to transfer the amount of \$5,000 to the Nursing Home Laundry line 4415-7120 for a total transfer of \$20,000. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Holden noted that the transfers are necessary due to increases in Health & Accident Insurance.

Transfer # FY 2010-33 - Nursing Home

Motion: To approve Transfer # FY2010-33, to transfer the amount of \$25,000 from Nursing Home Nursing Salaries line 4414-7010, and to transfer the amount of \$25,000 to Nursing Home Nursing Overtime line 4414-7011. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden noted that previous transfer is necessary because the Nursing Home has experienced, over the past 60 to 90 days, a higher level of nursing staff on leaves of absences and a higher number of resignations/terminations to new hires.

4. Public Comment on Agenda Items

There was no one present from the public who wished to comment on Agenda items.

5. Department of Corrections

Supt. O'Mara inquired about a Telephone Poll relative to the transfer of an inmate; following discussion, it was decided that the Board had approved that Telephone Poll at its last meeting. Supt O'Mara then noted that he has the papers authorizing that action and requested that they be executed.

Census

Supt. O'Mara presented the DOC Census, noting that as of April 29, 2010, the Census was 608, which included 539 men of whom 352 were being held pre-trial and 187 that had been sentenced. There were 69 women of whom 42 were being held pre-trial and 27 that had been sentenced; additionally there are 10 in the community.

Land Use Request

Supt O'Mara presented a request from the Goffstown Screaming Eagles football team to use a County field in the back of the County property for its 2010 football season; he noted that this is an annual request; he provided a copy of the Request for Use of County Land and a Certificate of Insurance that affirms that the football association is insured.

Motion: To approve allowing the Goffstown Screaming Eagles football team the use of a field, noting that all documents are in order. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Supt O'Mara noted that he has papers relative to accepting a Department of Education grant and requested that the Board execute the grant document.

Motion: To approve Supt. O'Mara's request to execute the grant document. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Supt O'Mara noted that he has two requests for Non-Public sessions, one relating to personnel and the other relative to a security issue.

6. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census and explained that as of April 29th, there were 285 beds occupied, which included 202 Medicaid residents, 50 private pay residents, and 33 Medicare Part A residents.

Mr. Moorehead informed the Board that he has a couple of items to address under Old/New Business.

7. County Attorney

Bid # CA2010-01 – Copy Machine

Comm. Pappas recognized M. Rioux, who was here representing the County Attorney and asked if there were any questions relative to this bid.

Motion: To approve Bid # CA2010-01 for a Copy Machine for the County Attorney's office; the bid will be awarded contingent upon the appropriation of funds; the recommended vendor is Conway Office Products in the amount of \$14,274; other consideration in awarding this bid included the cost of the Service plan at .005 cents/copy and the fact that Conway is the current vendor and has had a machine on loan to the County Attorney's office at no additional cost for 6 months. She noted that the purchase price plus the service contract make Conway the lowest responsible bidder. Motion by Comm. Holden, second by Comm Clemons. Motion carried.

Ms. Rioux thanked the Board for approving the bid and excused herself from the meeting.

8. Old/New Business

M. Rusch reported that the Executive Committee Subcommittee meetings start the following Monday. Comm. Holden thanked Ms. Rusch for changing the Board's meeting with the Subcommittee to May 11th so that she will be able to attend. Comm. Pappas noted that one of the Commissioners will attend the meetings.

Mr. Wenger reported that he received an update from Betsy Miller relative to the ARRA funding and the six month extension of the Federal Medical Assistance percentage; it appears that there were two bills, one from the House and one from the Senate that conflict with each other and have not been approved at this time. He explained that the Board's budget is based on receiving those funds through the end of Fiscal Year 2011, yet the law, as it stands now, will end on June 30th.

Mr. Wenger offered that the Board may wish to consider funding these lines for six months rather than the full year; that would be a reduction of \$4,074,500 in revenue; the impact would be that the 4 million dollars in revenue would have to be made up in some manner, or be added to the tax line, increasing it to \$45,527,938, or an increase over the prior year of \$807,551, a 1.8% increase. Mr. Wenger noted that there are advantages to considering this approach because currently the money has not been approved for the last six months of 2011, so the County cannot be sure that the funds will be received. If the budget were approved without considering this revenue and it did come in, then those funds would carry over and be approved next year, which in turn, would help with the anticipated deficiency for next year. Mr. Wenger noted that he raised this issue today because the Board's May 7th budget deadline has not passed; he noted that it is likely that this will be discussed as it goes to the Subcommittees and Delegation; the Board has an opportunity to address it now, or defend the budget that it has developed. He added that it is his understanding that the State is counting on this money in all of its budget projections.

Ms. Robinson noted that it seemed logical to her that since the law has not been passed, that the County could make the reduction in its ARRA budget revenue lines and have more stability. She noted that the Board could make the decision to level-fund by using \$800,000 from Surplus and indicated that she feels strongly that the extension will eventually pass, but there is no rush in Congress because the funding does not end until December. Ms. Robinson remarked that whether the Board decides to let the tax rate go up or it decides to use approximately \$8,000,000 from Surplus to keep the tax rate level, there will be more stability. Comm. Clemons inquired about how other New Hampshire Counties are dealing with the situation; Ms. Robinson noted that only two Counties operate on the same fiscal year. Comm. Holden noted that she would be interested in knowing the impact on the budget if the amount is taken out of the revenue projections and the County does not use the \$800,000, to which Ms. Robinson responded that she had spoken with Mr. Wenger and they agreed that the impact would be a 1.8% increase.

Ms. Robinson explained that were the Board to follow this course of action and amend its budget recommendation, it would mean that the County has budgeted based on the funds that will definitely be coming in, and can then carry forward any additional funds that are received. Comm. Holden explained that it will be unanticipated revenue and it can be used the following year; Ms. Robinson agreed.

Mr. Wenger explained that the County would be receiving funds that it has no authority to spend, so the Board would have to go to the Delegation to get approval; he explained that what the County has done with the prior ARRA funds is to hold the funds in a separate account so there is a paper trail; the auditors accounted for it as Surplus because it is additional money that has not been designated for a purpose but the County has an obligation under ARRA to make sure that the funds are appropriated to offset other expenses. Mr. Wenger noted that in FY 2011 there will be revenues that are unanticipated if the budget recommendation is changed and the extension is passed; in the FY 2012 budget, those funds will be designated for a specific purpose, most likely offsetting Human Services' expenses.

The Board discussed the alternatives, which included taking money out of Surplus, raising taxes, or doing nothing at this time. Mr. Wenger offered that the Board has adopted a budget in good faith based upon the information available to it, but because of the additional information received after the budget was completed, the Board can decide to consider different alternatives or it can pass the budget along as it is. He noted that an extension to the ARRA funding is expected to pass, and the Board could adopt a position and forward a letter to the Executive Committee suggesting: "These facts have come to our attention and we would recommend making these changes." Following further discussion, the Board agreed to have Mr. Wenger draft a letter to the Executive Committee stating the facts for the Board to review; after reviewing the letter the Board will determine if it wishes to add any recommendations prior to the Revenue Subcommittee meeting.

Mr. Reidy was recognized. Mr. Wenger thanked Mr. Reidy and his staff for the unbelievable effort put into the Charrette project. Mr. Reidy presented the Board with draft copies of the report developed by the Charrette Subcommittee; there were two versions, a full version and a condensed version. He noted that the report contains a letter to the Commissioners from the Charrette Steering Committee relative to the submission of this report to the Board. He spoke about the process, and referred the Board to the Charrette recommendations, the maps that illustrate the County property, and the Design Team's recommendations for future use of the property. He noted that properties are highlighted as civic buildings and land, properties for conservation and recreation, a section for office/campus/high density housing, and pieces of land for business opportunities. He indicated that there are also some Land Bank opportunities, which would allow the land to be set aside for longer periods of time. He noted that the next step would be gaining the Board's approval of the report.

Mr. Reidy informed the Board that in light of the cost; an executive summary version has also been developed, which focuses on the recommendations section and the maps. He explained that the Board may wish to use the summary version for those reports that will be distributed.

Comm. Holden indicated that the report does an excellent job of summarizing what went into the Design Charrette project. Comm. Pappas praised the efforts of the committee and the report. Comm. Holden noted that the report will also be available on disk. Mr. Reidy noted that it could be put on the County's website, the Cooperative Extension website, and perhaps the Town would want to put it on its website. Mr. Wenger noted that this is draft document for the Board's review and consideration, and at a future meeting, the Board could choose to accept the report. He further suggested that once the Board approves the report, the report could be added to a Board meeting agenda for discussion and possible action relative to where it wants to go. He noted that the original thought was that two copies of the report would be sent to the communities...one for the Library and one for the Town Hall; he suggested that the Board consider whether it might want to send the executive summary or the full copy to the Towns, or perhaps one of each. Comm. Pappas asked about pricing; Mr. Reidy responded that he obtained four estimates and that \$1,300 was the least expensive for 100 copies of the full version. He further noted that the Cooperative Extension can produce the smaller version in-house for approximately \$7.00 each. Mr. Reidy explained that a DVD of the entire event could be produced by Goffstown TV, and a CD version of the report could also be included; both could be added to the package and can be reproduced at \$3.00 each.

Comm. Clemons inquired if the Board should accept the report, and if doing so would mean that it accepts the recommendations contained in the report. Mr. Wenger explained that it is two actions; the first is to accept the report; then the Board needs to consider the recommendations, which is why he suggested doing so at a future Board meeting. Comm. Holden asked to take this under advisement and put it on the agenda for the next Board meeting. Comm. Pappas congratulated Mr. Reidy and Comm. Holden for their efforts. Mr. Wenger noted that taking the report under advisement gives the Board the opportunity to read the document, consider if the report addresses the original charge given to the Committee, and then the Board can choose to accept the report and conclude the work of the Committee or send it back; that would then bring the Board to a point where it can hold discussion and consider the recommendations provided in the report.

Mr. Wenger explained that there was an article in the previous day's Union Leader relative to the Women's Prison moving from the County-owned building; he understands that there is a House Bill and an amendment that is being discussed with respect to consolidating the Women's Prison's functions and moving them to the Sununu Center on North River Road in Manchester in combination with closing the facility located on the County's property and a facility in Laconia. Ms. Robinson noted that the latest proposal came from the State Finance Committee; they are proposing closing the nearby facility, moving the women to the Sununu Center, and renovating a building at the Laconia location for the juveniles and moving them to that facility. She noted DHS proposed closing shelters that are being used for temporarily placements and using the Sununu center because it was built to hold 140 juveniles and currently there are only 60 there. Mr. Wenger noted that on July 1st, the County will be entering the fourth year of a five year lease agreement with the State for the Women's Prison; the rent received from the State is approximately \$215,000/year.

Comm. Clemons observed that it was late in the legislative year for that to happen, to which Mr. Wenger responded that it was his understanding that the change would take effect in 2011. Comm. Clemons suggested that while it probably will not happen this year, the County should be ready and anticipate that it is going to happen.

Mr. Wenger referred to the hearings that are taking place relative to HB 1393; it refers to the regulation of pooled risk programs and could affect the County because its insurance with Primex is in a pool. He noted that he has been asked to take a position relative to this issue. He noted that he is more concerned with the liability side than the health side because with Mr. Lunsford's assistance, the County is aware of what is spent, what is paid, and the loss ratio every quarter. He gave an overview of the liability contributions and claims over the past years:

- in 2005 there was a positive loss ratio, which means that the County paid Primex more than Primex paid out
- in 2006 the loss ratio was 192%, which means that Primex paid out on the County's behalf 92% more than it received from the County;
- 2007 was a much better year for the County;
- in 2008 Primex paid out 610% over what it received from the County
- 2009 was a much better year.

Mr. Wenger explained that the County's experience goes up and down, and the agreement with Primex is if the pool can't handle it, they can approach the County and ask for contributions. Mr. Wenger noted that this is a risk that the County has every year, which is noted in the annual audit; he noted that in the past years, the pool has been able to handle the ups and downs, but HB 1393 would change the situation significantly and would likely have a significant impact on the County's ability to pay.

Comm. Holden expressed her belief that the insurance pools should remain as they have been and recommended that the Board take a similar position; she noted that each year there are things that increase or decrease our liability and Primex has done a good job of maintaining it, but if the State gets involved, it is a question as to whether the Secretary of State's office would regulate the pool, or if it would be the Insurance Commissioner.

Supt O'Mara inquired if Primex might be able to generate information for the Board that would give an overview of the impact should the bills pass in the Legislature. Comm. Holden noted that information is available from the Local Government Center and it could be accessed and distributed.

Mr. Wenger noted that he has two requests for Non-Public session relative to employee issues. He also reported that he has the MS-45 for the Board's signature.

Comm. Holden noted that the Dental Discount contract will be coming shortly; there are now two providers...Carrington and Aetna; this will provide access to a larger group of dentists.

Mr. Moorehead informed the Board that next week is National Nursing Home week. The employee appreciation dinner will be held at 1:30 p.m. on May 13th; the theme is: "My Generation." Comm. Holden noted that she heard from Maddie Perron that they will be doing herb of the month and May's herb is mint; they will be using recipes that include mint.

Mr. Moorehead informed the Board that a Nursing Home resident reached an important milestone; Millie Elias turned 100. Comm. Clemons commented that she had to have been born 3 years before the sinking of the Titanic, which went down on that same day. Mr. Moorehead noted that Ms. Elias came to this country via Syria into Boston to escape from the Turk and Armenian war.

Ms. Robinson informed the Board that the chimney at 19 Temple Street has a new copper cap; she noted that it not only looks great, but the repairs should prevent any future leaks. She also noted that work has been done on the heating zones, the boiler has been turned off, and the work on the chamber can now proceed.

Supt. O'Mara reported relative to SB500; he noted that two Representatives who sit on the State Finance Committee attempted to make an amendment to SB500, which would essentially require the State to reimburse the Counties for every day that a probationer would spend in the jail; however, it was ruled to be not germane.

Supt. O'Mara noted that in January 2007, RSA 30-B:15 became a statute that requires the State to reimburse Counties for any sentence exceeding 12 months of imprisonment in a County Correctional facility. He noted that since that date, the Hillsborough County Department of Corrections is the only facility that sends the State invoices; he noted that the other Counties do not seem to want to get involved in that process, but it is his opinion, that the DOC is required to follow the law. He noted that when an inmate is approaching one year of imprisonment, the DOC notifies the State and it is given the option, consistent with the Statute, that the State may take custody of the inmate. He noted that as of March, 2010, the amount the State owes the Hillsborough County DOC is approximately \$346,675 for the board and care of inmates who have spent more than one year in the County Correctional facility. He noted that he will meet with Attorney Kirby relative to legal steps that can be taken with respect to this issue.

Supt. O'Mara noted that in going through the Board minutes, he has observed that the Board mainly hears about the census, and there is little other information; he further noted that he has considered that perhaps the Board is interested in more detail relative to events that occur at the DOC, and that perhaps the minutes should show more of what happens at the DOC.

Following that thought, Supt. O'Mara reported that the DOC is currently holding four pregnant females, two of whom have drug issues and are being administered methadone to save the fetus. He explained that this is not only an important issue, but one that has a medical and financial impact; two inmates were hospitalized...one for thirteen days and the other for 3 days. There were six transports to the hospital, two were emergencies and four were scheduled.

Supt. O'Mara reported that relative to security, there were two uses of force reported by staff during the month, six inmates had seizures, one staff member was assaulted and there were three altercations amongst inmates. He noted that sadly, one of those who participated in the fights was a gentleman who usually plays Santa Claus at Christmas time and who has delivered Salvation Army bags for the past three years; he has been pre-trial for three years.

Supt. O'Mara noted that there continue to be issues with "Free Staters;" On April 21st, there were 21 Free Staters outside the DOC, half of whom were openly carrying weapons; some came into the sally port, the door where law enforcement goes in and out. On May 2nd five of the group walked into the sally port, feigning ignorance; they were then turned away. Supt. O'Mara noted that in these cases, the DOC always calls the Manchester Police Department who are always supportive and prompt in their response. He noted that the

Free Staters have established their own website, and if one is not savvy to what they are doing, they come across as real news reporters. He noted that a Shift Manager accompanied by a Correctional Officer with a video camera went outside; the Shift Manager asked the Free Staters to leave the property. The Free Staters became incensed and shouted that the DOC staff had not been given their permission to photograph them.

Supt. O'Mara summarized by saying that a larger concern is the sally port doors, which are twenty years old; he indicated that one has to roll up into a ball and the other has to be lifted up, both create security issues; he further noted that the doors are on their sixth repair and when broken, they have to be propped up because they are too heavy to manipulate manually. He noted that the DOC will be looking at a different type of door so they can resolve the security issue.

Supt. O'Mara asked the Board if it is interested in hearing this kind of information reported monthly to which the Board responded that it would like to know what is happening at the DOC. Supt. O'Mara will provide a monthly report with more detail than in the past.

Comm. Clemons inquired about the Free Stater's agenda; Supt. O'Mara responded that anytime a Free Stater is locked up because he refuses to give his name for a minor infraction, the group will then rally around this person, claiming that he is being unlawfully detained; they set up a stage publicly and film themselves. He observed that many of them carry a weapon, as allowed by State statute, but it can be very disconcerting to the Correctional Officers who are concerned with security.

M. Rusch reported that Regina Marcoux passed away last week. She worked for the Delegation office for many years, first as an employee, and then as a volunteer until the previous year.

Mr. Wenger reported that he has received the final rates for the Health Insurance increase for the coming year; the increase represents an average of 10.44%, the highest in five years. He noted that the experience for the last several months has been unusually high, but he is hoping that it will be lower going forward.

7. Public Comments

There was no one present from the public who wished to comment.

8. Non-Public Session

Comm. Pappas noted that there are requests for Non-Public Sessions

In response to a request from Attorney Kirby, the Board agreed to consult with Counsel relative to pending litigation consistent with RSA 91-A:2 I (e).

Mr. Wenger asked to speak with the Board relative to personnel and compensation consistent with RSA 91-A:2 I (a) and to speak with the Board relative to negotiations consistent with RSA 91-A:2 I (e).

Supt. O'Mara requested to speak with the Board and Mr. Wenger relative to personnel consistent with RSA 91-A:2 I (a) and to speak with the Board relative to a security-related issue at the DOC consistent with RSA 91-A:2 I (g).

Motion: To move into Non-Public session with the County Administrator, Mr. Wenger, relative to personnel and compensation, to meet with Supt. O'Mara and Attorney Kirby relative to personnel and a security-related issue, and to meet with Attorney Kirby relative to pending litigation. Motion by Comm. Holden, second by Comm. Clemons. Pappas-yes, Holden-yes, Clemons-yes. Motion carried.

The Board moved into Non-Public Session at 11:32 a.m.

The Board met with Mr. Wenger relative to personnel and compensation, including short-term disability benefits.

The Board met with Supt. O'Mara and Attorney Kirby relative to personnel and a security-related issue.

The Board met with Attorney Kirby relative to pending litigation.

The Board moved out of Non-Public Session at 12:40 p.m. No action was taken during Non-Public Session.

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

Comm. Pappas asked if there was any further Business before the Board.

Motion: To approve the recommendation of Counsel regarding the settlement discussed up to the amount discussed. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To direct the Business Office to make the appropriate changes to address Short Term Disability Insurance to Non-Affiliated employees up to \$600 with no change in the dollar amount of the current budget. Motion by Comm. Holden, second by Comm. Holden. Motion carried.

The Board agreed that there was no further business to address at this time.

Adjourn

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

The meeting adjourned at 12:43 p.m.

Approved 6/2/2010

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date