

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**May 12, 2015**  
Bouchard Building, Goffstown, NH  
**Minutes of the Public Session**  
(Not Official until Approved by the Board and signed by the Clerk.)

**Present:** Comm. Pappas, Comm. Holden, Comm. Ziehm, J. Hardy, D. Hogan, D. Dionne, L. Gero, B. Moorehead, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner.

**1. CALL TO ORDER**

The meeting convened at 10:03 a.m.

**Pledge of Allegiance**

Superintendent Dionne led the pledge to the flag.

**2. ADMINISTRATIVE BUSINESS**

**Approval of Minutes**

**Motion:**

To approve the minutes for the Board of Commissioner's regular meeting held on April 29, 2015, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

**Miscellaneous Payroll**

**Motion:**

To approve Miscellaneous Payroll Registers dated May 7, 2015 in the amount of \$80.00 and another dated May 8, 2015 in the amount of \$92.00 for a total Miscellaneous Payroll of \$172.00, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

**Regular Payroll**

**Motion:**

To approve a Regular Payroll dated May 7, 2015 in the amount of \$1,101,369.80, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

**Accounts Payable**

**Motion:**

To approve an Accounts Payable Register dated May 11, 2015 in the amount of \$3,065,512.01, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2015-20 – County Attorney

**Motion:**

To approve Transfer # 2015-20 for the County Attorney's Office to transfer the amount of \$625.0 from Consulting, line 7230 and then to transfer the amount of \$625 to Education & Conference, line 7120. Comm. Pappas noted that the transfer will cover the registration of five individuals to allow them to attend an Educational Conference at a cost of \$125 each. Motion by Comm. Pappas, second by Comm. Holden.

County Attorney Hogan explained that there is a "Partnering for a Future Without Violence" conference that is put on by the NH Governor's Commission on Domestic and Sexual Violence. He added that it is part of the Attorney General's Task Force on Child Abuse; he further added that the budget will cover the registration for 18 Attorneys that want to attend and noted that 3 Victim Witness Advocates and 2 Investigators would also like to attend; the reason for the budget transfer is to cover the registration for the 5 additional staff. Attorney Hogan explained that the Conference provides Continuing legal Education (CLE) credits for the 18 Attorneys that want to attend.

Comm. Ziehm asked if it was normal procedure for the County to pay for continuing education credits. Mr. Wenger responded that in the past, it was funded for a long period of time, then it was taken out of the budget, and later a transfer was done to cover the education cost.

Mr. Wenger noted that Victim Witness Advocates and Investigators do not get CLE credits. Attorney Hogan noted that the Victim Witness Advocates and Investigators expressed an interest in attending since it relates to their jobs. Discussion ensued.

The motion to approve Transfer # 2015-21 failed with Comm. Pappas voting in favor of the motion and with Commissioners Holden and Ziehm voting against the motion.

Attorney Hogan thanked the Board for its consideration, excused himself, and left the meeting.

Transfer # 2015-21 – Sheriff's Department

**Motion:**

To approve Transfer # 2015-21 for the Sheriff's Department to transfer the amount of \$1,500 from Auto Track, line 4211-7442 and then to transfer \$1,500 to Sheriff's Clothing, line 4211-7520. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Holden asked how much the uniforms cost per Deputy Sheriff.

Sheriff Hardy said that he does not have that figure but indicated that he will get the information for the Commissioner. He added that this is primarily for new hires and for replacing worn uniforms as they transition from winter to summer uniforms. The Sheriff noted that the funding is being transferred from the Auto Track line that is in the current budget but will be inactive going forward. He explained that Auto Track is a software tracking program that was used for fugitive apprehension, but is no longer used so it is funded in the FY 2016 budget at \$1.

Discussion ensued relative to options.

Motion carried unanimously to approve Transfer # 2015-21 for the Sheriff's Department.

Transfer # 2015-22 – Sheriff’s Department

**Motion:**

To approve Transfer # 2015-22 for the Sheriff’s Department to transfer the amount of \$67,775 from Contingency-Salaries & Wages, line 4199-7010, and then to transfer \$55,000 to Sheriff’s Salary & Wages, line 4211-7010 and to transfer the amount of \$12,775 to Sheriff’s Retirement, line 4211-7130 for a total transfer of \$67,775. Motion by Comm. Pappas, second by Comm. Holden.

Comm. Holden asked if the transfer was needed because of the contract passed the previous year; Sheriff Hardy responded in the affirmative.

Motion carried to approve Transfer # 2015-22 for the Sheriff’s Department.

Transfer # 2015-23 for the Department of Corrections

**Motion:**

To approve Transfer # 2015-23 for the Department of Corrections to transfer the amount of \$10,000 from Corrections Sewer, line 4230-7640 and to transfer the amount of \$10,000 to Electricity, line 4230-7610. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

**3. PUBLIC COMMENT ON AGENDA ITEMS**

There was no one from the Public Comment on Agenda Items.

**4. DEPARTMENT OF CORRECTIONS**

**Census**

Supt. Dionne presented the Department of Correction’s (DOC’s) Census. He noted as of May 5, 2015, the total in custody was 455; the Census included 348 men, 130 of whom had been sentenced and 218 that were being held pre-trial; there were 107 women; 35 of the women had been sentenced and 72 were being held pre-trial. He added that the DOC was holding 40 female inmates from Rockingham County.

Supt. Dionne informed the Board that 147 individuals were diverted through the Mental Health Courts; 75 were from Manchester and 72 from Nashua, and there were 14 in the community.

**Overtime Impact Report**

The Overtime Impact Report was included in the Board’s packet.

**5. NURSING HOME**

**Census**

Mr. Moorehead presented the Nursing Home Census. He indicated that the Census as of May 7, 2015 was 285; it included 208 Medicaid residents, 40 Private Pay residents and 37 Medicare-Part A or managed care residents

## **Approval of \$1 Positions**

Mr. Moorehead explained that he is requesting approval of 2 positions that were funded at \$1 that were filled and 1 position that was also funded at \$1 that is about to be filled; he noted that the positions are outline in his Memo of May 11<sup>th</sup>.

### **Motion:**

To approve the 2 LPN positions #301648009 and #301648010; these positions were funded at \$1 and were filled on May 4, 2014, and then to fill the position of Assistant Business Office Manager, position #2055441001 that was also funded at \$1 and is anticipated to be filled on may 26, 2015. Motion by Comm. Holden, second by Comm. Pappas.

In response to a question from Comm. Ziehm, Mr. Moorehead indicated that he did not anticipate that filling these positions would increase the Nursing Home budget and added that there are 4 vacant per diem RN positions, 2 of which are funded and will cover the cost of the 2 LPN's.

Motion carried to approve filling the three \$1 positions.

## **April Revenue**

Mr. Moorehead presented the revenue report for April. He explained that the budgeted Room & Board and ancillary budget was \$1,930,454 while the actual was \$1,916,175 resulting in a negative variance of \$14,279. He added that April was a 30-day month and noted that the monthly budget is typically based on 31 days.

## **Year-to-Date Revenue**

Mr. Moorehead presented the unaudited Year-to-Date revenue; he informed the Board that the budgeted Room & Board and ancillary revenue for Year-to-Date is \$19,304,540 while the actual is \$19,401,501 resulting in a positive variance of \$96,961. He noted that the year-to-date MQIP budget was \$2,400,000 while the actual MQIP payment was \$2,490,518 resulting in a positive variance of \$90,518. The total for all revenue was \$187,479 over budget.

Mr. Moorehead explained that a ProShare payment will arrive in June and there is one more MQIP in fiscal year 2015. He added that the MQIP tax will be significant; it is 5 ½% of revenue. He noted that he has found it to be very difficult to obtain information from the State relative to how MQIP and ProShare relate to each other.

## **6. SHERIFF'S DEPARTMENT**

Bid # SO-2015-03GF – Sale of 2008 Van

### **Motion:**

To approve the sale of a used 2008 Ford Van and to recommend that the Board approve Wyman's Sales & Service as the highest bidder at a price of \$3,550. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Bid # SO-2015-04GF – Sale of 2005 Van

### **Motion:**

To approve the sale of a used 2005 Ford Van and to recommend that the Board approve Wyman's Sales & Service as the highest bidder at a price of \$3,250. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

In response to a question from Comm. Ziehm, Mr. Wenger noted that the revenue from the sale of these vehicles will go into the County's Miscellaneous Revenue line.

Bid # SO-2015-05GF – Sale of 2005 Chevy

**Motion:**

To approve the sale of a used 2005 Chevy and to recommend that the Board approve Wyman's Sales & Service as the highest bidder at a price of \$650. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Bid # SO-2015-06GF – Sale of 2006 Ford

**Motion:**

Based on a request that the Board has received relative to Bid # SO-2015-06GF for the sale of a 2006 Ford Crown Victoria, Comm. Holden moved to decline the bid because the vehicle has been transferred to the Department of Corrections. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Holden noted that the vehicle's VIN number for the aforementioned bid is 2FAFP71W06X163295.

**7. REGISTRY OF DEEDS**

Bid # 2016-01 – Postage Machine & Meter

**Motion:**

To approve Bid # 2016-01 for a Postage Machine & Meter; the lowest responsible bidder meeting the specifications is Pitney Bowes at a price of \$3,756; the bid is consistent with RSA 28:8-e with the understanding of the condition and upon the availability of sufficient funding through the County's budget process. She added that the lease is for \$313 per month and \$3,756/year for a period of 60 months. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Legal Counsel, C. Kirby requested that the bid be awarded subject to review and approval, adding that there indemnification provisions that need to be reviewed.

Comm. Holden amended her motion to include that the bid be awarded subject to review and approval.

Discussion ensued relative to the machine, parts and maintenance agreement.

Motion carried to approve the amendment and the Bid # 2016-01.

**8. OLD/NEW BUSINESS**

Next Board Meeting

Mr. Wenger explained that the next Board Meeting is tentatively scheduled for May 29<sup>th</sup> at the call of the Chair and inquired as to whether the Board wished to meet on that day. It was noted that it might be wise to meet after the last of the Executive Committee's budget meetings. Mrs. Castonguay noted that the Executive Committee's Budget Review meeting is scheduled for Friday, May 29<sup>th</sup> at 8:30; it will meet again on Monday, June 1<sup>st</sup>. The Board agreed that its next meeting will be Wednesday, June 3<sup>rd</sup> at 9:00 a.m.

Discussion ensued relative to any pending transfers. Mr. Wenger noted that there will be two more meetings where departments will have an opportunity to present transfers.

Mr. Wenger noted that the first Budget Sub Committee met the previous day; he noted that an additional \$25,000 was added to the County Attorney's budget; \$10,000 was added to the Consulting line and \$15,000 was added to the Medical Referee line.

Mr. Moorehead informed the Board that he received a letter the previous day from Jennifer Doig; she stated that the Governor approved the lump sum payment of the distribution of the available State unspent Surplus monies that should have been rolled into rates with the January rate setting. The lump sum will be paid proportionately to each Nursing Home; the total is \$3,895,023.13. He noted that they would likely distribute it based on Medicaid days; it will be paid in the next MMIS cycle ending Friday, May 15<sup>th</sup>. He added that he estimates that it will be approximately \$3 per patient day, but he is not sure how many days will be applicable yet.

Supt. Dionne requested that the Clerk sign a Certificate of Authority and asked Attorney Kirby to witness the document; he explained that it is for the annual Basic Education Grant; it is a grant for \$31,466.07 that pays for a teacher at the Department of Corrections.

**Motion:**

To authorize the Comm. Pappas to sign the Certificate of Authority for the Basic Education Grant on behalf of the Board of Commissioners. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Supt. Dionne reported that he received an email from the Hon. Kenneth Brown, Judge at Hillsborough County Superior Court, North. It referred to a meeting to be held at 6:30 p.m. on May 13<sup>th</sup>. Judge Brown would be meeting with Manchester Mayor Gatsas, from who is interested in developing and promptly implementing a Drug Court for Hillsborough County Superior Court. Attorney Brown invited a number of people; those responding include Dorothy Graham from the Public Defender's office, Maureen O'Neil from the County Attorney's office, Mike McAllister & Scott Harrington from Probation and Parole, Lieutenants Pinciario and Vacca from the DOC and Judges Nadeau, Brown and Abramson from Superior Court. He added that he will also be attending along with Denice Ryan, the DOC Medical Director. The meeting will be held at 20 Market Street. Supt. Dionne indicated that he would like one of the Commissioner's to attend. He added that Rep. Neal Kurk is involved and is interested in providing funds from the State level. Comm. Pappas agreed to attend on behalf of the Board.

Comm. Holden provided a copy of the "*Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails,*" and asked the Board if it wished to sign the Initiative. Following discussion, the Board agreed to sign the Initiative once the bulleted items on Page 2 were removed as they did not apply.

**Motion:**

To approve signing the "*Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails,*" Motion by Comm. Holden, second by Comm. Pappas.

Discussion ensued.

Comm. Holden withdrew her motion.

**Motion:**

To approve signing the "*Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails*" subject to removing the words: "*We resolve to utilize...*" and the 6 bulleted items on Page 2. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

## **9. PUBLIC COMMENT**

There were no members of the public who wished to speak.

## **10. NON-PUBLIC SESSION**

Comm. Ziehm entertained a motion to enter Non-Public Session.

### **Motion:**

To enter Non-Public Session consistent with RSA 91-A:2 I (b) relative to negotiations and then to meet in Non-Public Session consistent with RSA 91-A:3 II (c). Motion by Comm. Pappas, second by Comm. Holden. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public Session at 11:02 a.m.

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

The Board met with Supt. Dionne, Attorney Kirby and Mr. Wenger.

The Board moved out of Non-Public Session at 11:54 a.m.

### **Motion:**

To move out of Non-Public Session and to seal the minutes of the session. Motion by Comm. Holden, second by Comm. Pappas. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

### **Motion:**

To ratify the tentative agreement between Hillsborough County and International Chemical Workers Union Council/UDCW, Local 1046C, Nursing Home Supervisory Personnel, July 1, 2015 to June 30, 2017, noting that the Board has been advised that the bargaining unit members have previously met and ratified the agreement. Motion by Comm. Holden, second by Comm. Pappas. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

## **11. ADJOURN**

### **Motion:**

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

The meeting adjourned at 10:02 a.m.

*Approved on June 16, 2015*

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Comm. Toni Pappas, Clerk  
Hillsborough County Board of Commissioners

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Date