

Regular Meeting of the
Hillsborough County Board of Commissioners

May 16, 2007
Bouchard Building, Goffstown, NH

Minutes of the Public and Non- Public Session
(Not Official Until Approved by the Board and signed by the Clerk.)

Present: Comm. T. Pappas, Comm. C. Holden, Comm. M. Clemons, G. Wenger, B. Moorehead, J. O'Mara, M. Rusch, R. Mercer, C. Kirby, and R. Pomroy.

Also present: T. Flygare

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 3:43 P.M. B. Moorehead led those present in the Pledge to the Flag.

2. Tom Flygare Re: Negotiations

Motion: To go into non-public session under RSA 91-A: 3 II (e), negotiations. By Comm. Clemons, second by Comm. Holden. Comm. Holden, yes; Comm. Pappas, yes; Comm. Clemons, yes. Motion carried.

The Board went into non-public session at 3:43 P.M.

The Board reviewed ongoing labor negotiations with Chief Negotiator T. Flygare and the terms of tentative collective bargaining agreements reached with the AFSCME group at the Department of Corrections and Chemical Workers at the Nursing Home. The Board did not take any action.

The Board came out of non-public session at 4:50 P.M.

Motion: To come out of non-public session. By Comm. Holden, second by Comm. Holden. Comm. Clemons, yes; Comm. Pappas, yes; Comm. Clemons, yes. Motion carried.

4. Business Office

Approval of Payroll Register

Motion: To accept the Payroll Register dated 5/3/2007 in the amount of \$1,050,542.20 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Approval of Accounts Payable Register

Motion: To accept the Accounts Payable Register dated 5/15/2007 in the amount of \$3,281,472.21 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Approval of Sheriff's Extradition Vouchers:

The Board considered the Sheriff's extradition vouchers presented for approval.

Motion: To approve Extradition Vouchers dated from 2/16/2007 to 4/11/2007, noting that the County Attorney has signed off on the Extradition Vouchers:

2/16/2007 for \$21.83,
2/16/2007 for \$52.38,
2/23/2007 for \$70.81,
3/12/2007 for \$90.70,
3/14/2007 for \$101.85,
3/15/2007 for \$1,086.25,

3/16/2007 for \$33.95,
3/19/2007 for \$133.34,
3/29/2007 for \$41.71,
4/4/2007 for \$36.38, and
4/11/2007 for \$77.66

for a grand total of \$1,746.86. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Telephone Poll

Comm. Holden stated that on Monday, May 14th, a telephone poll was conducted at the request of Mr. Moorehead seeking approval of bid # 37-2007 to repair the emergency call bell system in the A-2 Unit.

Motion: To approve the Telephone Poll conducted on Monday, May 14, 2007 to approve bid # 37-2007 to provide, install and program a Jeron 680 Main Control Board to replace the damaged control board, noting that the emergency call bell system in the A-2 Unit was damaged due to a short and that the total bid was for \$4,982, also noting that this was a sole source provider. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

B. Moorehead informed the Board that the system is back up and running thanks to the bid. Comm. Holden stated that in an emergency like that, a purchase needs to be made quickly for the safety and security of the residents as provided for in the statute.

Transfer # 2007-20: DOC Electricity to DOC Sewer Expense

Motion: To approve budget transfer # 2007-20 for the Department of Corrections to transfer from the Electricity line, 4230-7610, the amount of \$7,500 to the Sewer Expense line, 7640. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Transfer # 2007-21: DOC Salaries & Wages to DOC Misc. Lines

Motion: To approve budget transfer # 2007-21 to transfer from 4230-7010, Salaries & Wages \$40,000 to 4230-7011, Overtime Wages, \$15,000 and to 4230-7730 Auto Repairs, \$25,000. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

5. Nursing Home

Census

B. Moorehead was recognized. He informed the Board that the census at the facility on May 10th was 280, of which 210 were Medicaid residents, 40 were Private Pay, 30 were Medicare Part A residents.

Bid # 32-2007: Physician/Medical Director Services

B. Moorehead presented bid # 32-2007 for Physician/Medical Director Services, noting that the bid has been revised to be awarded to Dr. Howard Suls, MD of Manchester, NH, he was the lowest responsible bidder. He noted that the bid was for \$57,600 annually and he would provide administrative services as required by Federal and State regulations. He stated that the low bid does not meet contract requirements, that the physician have privileges as both Elliot Hospital and CMC Hospital. He noted that Dr. Howard Suls meets that requirement.

Motion: To approve bid #32-2007 for the Nursing Home Physician/Medical Director Services to Howard Suls of Manchester, NH for the total cost of \$57,600 annually noting that he is the lowest responsible

bidder. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Mr. Moorehead informed the Board that Dr. Suls is the current provider of these services.

6. Department of Corrections

Census

J. O'Mara was recognized. He informed the Board that the census at the facility on May 10th was 560. He noted that of the 560, 505 were men, of which 183 were sentenced and 322 were being held pre-trial. He noted that on the women's side of the house, 17 were sentenced, and 38 were pre-trial for a total of 55 female inmates.

Mr. O'Mara inquired about the procedure regarding the 3-year contracts awarded, specifically the necessity of the annual renewals, to which Comm. Holden stated that she is in favor of the annual renewals.

Bid # FY08-11: Fire System Inspect/Service Contract – 3yr.

J. O'Mara presented bid # FY08-11 for a Fire System Inspection/Service Contract, noting that this is the second of the three-year renewable contract to Hampshire Fire Protection of Londonderry, NH in the amount of \$6,520.

Motion: To approve bid # FY08-11 for the Fire System Inspection Service Contract, second year of a three-year contract, to Hampshire Fire Protection of Londonderry, NH. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Bid # FY08-13: Facility Trash Removal Service Contract – 3yr.

J. O'Mara presented bid # FY08-13 for the facility's Trash Removal Service Contract. He noted that the recommended vendor is Allied Waste Services of Tyngsboro, MA in the amount of \$19,732.74 for the second year of the three-year renewable contract.

Motion: To approve bid # FY08-13 for the Facility Trash Removal Service, second year of a 3 year contract to Allied Waste Services of Tyngsboro, MA in the amount of \$19,732.74. By Comm. Holden, second by Comm. Clemons for discussion.

Comm. Clemons inquired about the three-year renewable contract process. Mr. O'Mara stated that had the motion not been approved the contract would be continued unless the company did not meet the contracted obligations, which would require a motion to rescind the original motion. Comm. Clemons inquired if that is stated in the contracts, to which Mr. O'Mara noted that it is in the Department of Corrections renewable contracts. Mr. Moorehead stated that his facility does not do such contracts because of the 30-day out clause included in the majority of its contracts.

Motion carried unanimously.

Bid # FY08-14: Vending Machine Service – 3yr.

Motion: To approve bid # FY08-14 for Vending Machine Services for the 2nd year of a three-year renewable contract for a 15% commission on gross sales, it goes to the Commissary Account, to ADM Vending, Merrimack, NH. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Bid # FY08-23: Pest Control/Prevention Serv. Contract – 3yr.

Motion: To approve bid # FY08-23 for Pest Control/Prevention Service Contract 2nd year of a 3-year renewable contract to Modern Pet Control of Manchester, NH, a unit price of \$139 per month. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Bid # FY08-65: 2-Way Radios Service Contract – 3 yr.

Motion: To approve bid # FY08-65 for 2-Way Radios Service Contract, the 2nd year of a 3-year renewable contract to R&R Communications of East Swanzey, NH for a total amount of \$5,100. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Mr. O'Mara requested to meet with the Board in non-public session under RSA 91-A:3II (g) for a security related issue at the County Correctional Facility.

Delegation

M. Rusch was recognized. She stated that she had no matters to bring before the Board at this time.

The Board considered ratification of tentative collective bargaining agreements reached with the AFSCME group at the Department of Corrections and Chemical Workers at the Nursing Home.

Motion: To ratify the tentative agreement reached with the Hillsborough County Department of Corrections Local #3657 American Federation of State, County and Municipal Employees AFL/CIO and to forward the agreement to the Executive Committee and Delegation with a request for review and approval of the cost items. By Comm. Holden, second by Comm. Clemons.

Comm. Holden stated that she is delighted to have settled with AFSCME and is happy to have a couple of contracts to move forward to the Executive Committee

Motion carried unanimously.

Motion: To ratify the tentative agreement reached with the International Chemical Workers Union Council/UFCW, Local 1046C, Nursing Home Supervisory Personnel and to forward the agreement to the Executive Committee and Delegation with a request for review and approval of the cost items. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

7. Old/New Business

Comm. Pappas stated that E. Robinson was not able to be present at the meeting and inquired if there were any further discussions regarding the Incentive Fund Grants. Comm. Holden stated that an agreement must be made regarding the public member for the Incentive Fund Committee. A discussion followed.

Motion: To recommend as a public member to the Committee, K. Giacomponello from Mont Vernon to be the public member of the 7-member committee. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Comm. Holden noted that the Board received a letter from Kenneth Clark, Major General of the National Guard, expressing sincere appreciation for the assistance of the Hillsborough County Department of Corrections during the El Salvador Police Exchange that was conducted during April 16th through April 20th.

Comm. Clemons stated that there was a Public Hearing on SB 319 on May 7th. He noted that it was attended primarily by Legislators and by Directors. He stated that there were no questions asked from the public. He stated

that the bill was discussed as well as several directives. He noted that thought there was no public feedback, the Elected Officials offered their comments.

Comm. Holden stated that the next Master Plan Committee Meeting would be on June 1st at 8:15 A.M. She noted that she has attended the Executive Subcommittee meetings, and so far, the funding for this has been left in the lines.

B. Moorehead advised the Board that the Nursing Home revenue for the month of April exceeded budget by \$29,000.

Mr. Moorehead informed the Board that there could be a change in the B-3 Unit, which would switch 2 ELU beds to 2 Skilled beds. He explained to the Board that the switch could enhance the marketability of those beds. A discussion followed. Mr. Moorehead noted that he would be looking to make this change for the June 28th Market Date, the State has already been made aware of it and there have been no problems with this change.

G. Wenger requested a motion from the Board regarding setting the Non-Affiliate Health Insurance Contribution at 22.5% for the HMO programs and 26% for the POS programs, and to add the HMO 500 plan to the County's offerings. He noted that the HMO 500 is the lower cost/higher deductible program being offered by Primex at no additional cost. A discussion followed.

Motion: To confirm the discussion with each of the three Commissioners, individually, about setting the rate for the Health Insurance for the Non-Affiliated employees to 22.5% for the HMO programs and 26% for the Point of Service programs and noting that the County will be adding a new HMO 500 program. By Comm. Holden, second by Comm. Clemons.

Comm. Pappas inquired how the employees would be notified, to which Mr. Wenger stated that the timing of this is quite difficult and that he would ask the Board to request the Departments' help in distribution of this information with the payroll. He noted that the open-enrollment period begins this month and information must be distributed to all of the employees regarding the open enrollment. He stated that the County employees would be receiving information regarding the open enrollment, the insurance plans and their costs, and the 125-plan information. He noted that the difficult part of this is that the budget process is not finished and people will see the results of the changes in the health insurances before they will see the adjustments in salaries. He noted that due to feedback received this year, rather than having a full benefits fair at each of the Departments, a representative from Primex, Harvard Pilgrim and Human Resources will be going to the various Departments to discuss the plans offered. Comm. Clemons inquire if the information is available for distribution, to which Mr. Wenger stated, yes, noting that if the Board approved the motion the information will be delivered with the payroll.

Motion carried unanimously.

Motion: To direct the Departments to distribute with the payroll the information regarding Open Enrollment, the insurance plans, the costs, and the 125 Plan. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

G. Wenger informed the Board that the Cooperative Extension is requesting to use the building on June 3rd, July 8th, August 5th, and September 16th, all of which are Sundays. He noted that they are starting a 4-H Child & Mother Gardening Program at the Women's State Prison. He noted that the requirement of this is that the child will be in close proximity to their caregiver should there be an emergency. He noted that at the same time a program would be started here for the Caregiver Respite Education Support Group. He stated that for these dates there would be 2 UNH CE Staff people in the building; Mike Koskie and Sharon Cullen. Comm. Holden inquired if any written information regarding the program was provided, to which Mr. Wenger stated that the information is being developed at this time. He noted that it would be a two hour time period between 1:00 P.M. and 5:00 P.M. Comm. Clemons stated that this was discussed at the last Extension Advisory Board meeting and noted that this program

would be for the mothers who are inmates and their children to get them together. A discussion followed. Mr. Wenger inquired if the program would have the support of the Commissioners at this time. Following a discussion the Board expressed its support.

Mr. Wenger stated that two bids were received the previous week regarding the 2nd floor renovation project. He noted that he has a recommendation for the Board to consider, which would be contingent upon an approval of a transfer of the funds from Contingency to the Building line in the County Complex. He distributed the bids to the Board. He noted that the two bids were received from Amoskeag Architectural Group, which is Allan Yeaton as the primary architect, and Team Design, which is Dan Beason as the primary architect. He noted that these architects were involved in the prior bidding process. He noted that the two bidders are significantly different in their approach with Phase I and Phase II. He stated that Phase I will finish up the design to get the County to an estimate for the incorporation of the Goffstown District Court and Juvenile Services into the second floor, so that the negotiation process with the State could go forward onto Phase II. He noted that Phase II would be the bidding for the construction costs and going forward. He noted that there is a significant difference in Part I of each bid. He noted that he has analyzed both bids and concluded both bids meet specifications. He requested that the Board note two exceptions as provided within the RFP that went out of which one was a question of whether an LLC requires a stamp/Corporate Seal as Amoskeag's Architectural Group doesn't have a corporate seal and the second part of the specifications stated that the County requires a plan of action going forward be provided. He noted that Team Design's bid is very specific with every step they would make, and Amoskeag Architectural Group's bid is presented in a more general way. He noted that Mr. Yeaton's bid reflects that he has worked on the Bouchard Building before and was involved in the prior bidding process and has a significant amount of the Phase I work completed. Mr. Wenger recommended Amoskeag Architectural Group as the lowest responsible bidder.

Motion: To approve the bid for Architectural Services – Planning and Design, Second Floor Bouchard Building Renovation to Amoskeag Architectural Group LLC of Manchester, NH for the total bid price of \$42,500: \$8,000 for Part I and \$34,000 for Part II, noting that upon review of the bid packages the Board, finding it in the County's best interest, waives those minor irregularities in the low bidder's bid package such as any perceived lack of detail in the work plan and the absence of a corporate seal. The Bid award is conditioned upon the appropriation of sufficient funding and approval of a Transfer from Contingency Buildings to County Complex Buildings by the Board and the Executive Committee. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

G. Wenger presented the Board with transfer # 2007-22, noting that Mr. O'Mara has not had the opportunity to review the transfer. Mr. O'Mara expressed his support of the action.

Motion: To approve the request for budget transfer # 2007-22 from Contingency to the County Complex line 7960; the amount of the transfer is \$42,500 to transfer from Buildings to Buildings line 4198 County Complex, and this transfer will support payment for architectural services associated with the planning and design and renovation project for the second floor of the Bouchard Building. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Mr. Wenger requested to meet with the Board in non-public session under RSA 91-A:3 II (a) compensation of employees. Following a brief discussion, Mr. Wenger withdrew his request to meet with the Board during non-public session. He noted that there are some rapidly approaching changes regarding the retiree system pertaining to filing requirements and all municipalities becoming responsible for tracking and accounting for the cost of retiree benefits. He noted that the NH Retiree System Retiree Insurance Program requires that present employees support the Retirees Program. He noted that the current program requires the County's current employees to subsidize the retirees. He suggested that accounting changes would require the County to account for this expense. He noted that at this time Primex is reviewing the issue to assure that the counties will have the necessary cost information. Mr. Wenger also noted that the County currently offers its retirees a program, which provides mail-in prescriptions at \$0 for generic, \$1 mid level, and \$1 for 90-day supply of the highest quality. He noted that if the County stays with the current program the rate for the new plan year would increase by 3.4%. He advised the Board that Harvard Pilgrim through Primex is offering to maintain rates at the present level should the

County change the prescription co-pay plan to \$0 mail-in for generic, \$20 for midrange and \$30 for the highest quality. He suggested that a \$0, \$1, \$1 mail-in has no incentive for the retirees to ask for anything other than the highest prescription. He also suggested that the Board may wish to explore moving the County's retirees from the Primex Health to the First Senior Freedom Plan this coming January. He noted that at today's rates, the retirees are paying \$389.65, and if they were moved to the new plan, they would be paying \$140 with increases in deductibles. Following a discussion the Board took the following action.

Motion: To move the prescription benefit for the retirees to the \$0, \$20, \$30 prescription plan. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

8. Public Comments on Agenda Items

There were no members of the public available for comment.

9. Non-Public Session

Motion: To go into non-public session under RSA 91-A:3II (g). By Comm. Clemons, second by Comm. Holden. Comm. Holden, yes; Comm. Pappas, yes; Comm. Clemons, yes. Motion carried.

The Board went into non-public session at 5:43 P.M.

The Board met with Mr. O'Mara and discussed a security matter at his facility. No action was taken.

The Board came out of non-public session at 5:53 P.M.

Motion: To come out of non-public session. By Comm. Holden, second by Comm. Holden. Comm. Clemons, yes; Comm. Pappas, yes; Comm. Clemons, yes. Motion carried.

Motion: To authorize the Superintendent to accept up to 24 prisoners from another County. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

There being nothing further to discuss, the Board entertained a motion to adjourn.

10. Adjourn

Motion: To adjourn. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

The meeting adjourned at 5:55 P.M.

(SIGNED 8/15/07)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date