

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
May 16, 2012  
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. S. Ziehm, Comm. C. Holden, P. Coughlin, J. Hardy, D. Hogan, C. Connelly, D. Dionne, C. Kirby, B. Moorehead, D. Reidy, M. Rioux, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

**1. Call to Order**

Comm. Ziehm called the meeting to order at 8:45 a.m. Comm. Pappas had previously advised the Board that she would be unavailable.

**2. Pledge to the Flag**

P. Coughlin led the Pledge of Allegiance.

**3. Administrative Business**

Approval of Minutes

**Motion:** To approve the minutes of the February 22, 2012 Board of Commissioner's Regular meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To approve the minutes of the March 14, 2012 Board of Commissioner's Regular meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To approve the minutes of the April 4, 2012 Board of Commissioner's Regular meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To approve the minutes of the April 5, 2012 Board of Commissioner's Budget meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To approve the minutes of the April 19, 2012 Board of Commissioner's Regular meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Approval of Payroll

**Motion:** To approve the following miscellaneous Payroll Registers in the following amounts:

- January May 10, 2012 in the amount of \$131.59
- May 11, 2012 in the amount of \$211.83

for a total miscellaneous Payroll of \$343.42, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To approve the regular Payroll Register dated May 10, 2012 in the amount of \$1,107,397.89, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

## Accounts Payable Registers

**Motion:** To approve the following Accounts Payable Registers in the following amounts:

- May 4, 2012 in the amount of \$136.00
- May 4, 2012 in the amount of \$1,119.00
- May 4, 2012 in the amount of \$2,311,061.85
- May 11, 2012 in the amount of \$44,432.88
- May 15, 2012 in the amount of \$356,922.84

for a total Accounts Payable for \$2,713,672.57, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

## Transfer # 2012-26

**Motion:** To transfer from Nursing Home Administration-Bed Assessment line 4411-7299, the amount of \$7,100 and to transfer a like amount to Nursing Home Pharmacy-Other Fees & Outside Services, line 4420-7290. Motion by Comm. Holden, second by Comm. Ziehm.

Comm. Holden read the reasons for the transfer. They are due to the Nursing Home Pharmacy-Other Fees & Outside Services line being over budget due to the increase in the need for wound vac rentals and the increasing number of residents going out for oral surgery and increased number of residents requiring orthopedic braces. Wound vac machines cost over \$16,000 for a re-manufactured unit; wound vac, plus dressings are doubly expensive as well.

Motion carried.

## Transfer # 2012-27

**Motion:** To approve Transfer # 2012-27 to transfer from the Nursing Home Administration-Bed Assessment, line 4411-7299 the amount of \$23,000 and to transfer a like amount to Nursing Home Pharmacy, line 4420-7330. Motion by Comm. Holden, second by Comm. Ziehm.

Comm. Holden noted that the transfer is required to cover the higher cost of medications of the Medicare Part A patients since the Nursing Home's Part A Census is running approximately 10% over budget.

Motion carried.

## Transfer # 2012-28

**Motion:** To approve Transfer # 2012-28 to transfer from the Nursing Home Rehab Salaries line 4421-7010, the amount of \$3,000, and to transfer a like amount to Nursing Home Housekeeping Salaries, line 4416-7010. Motion by Comm. Holden, second by Comm. Ziehm.

Comm. Holden noted that the transfer is required to cover the housekeeping salary line, which is projected to run over budget due to the fact that during the reorganization in August 2011, a switchboard operator bumped a less senior housekeeper who was budgeted at a lower rate.

Motion carried.

Transfer # 2012-30

**Motion:** To transfer from the following lines, the following amounts:

- Corrections Salary & Wages, line 4230-7010, the amount of \$100,000
- Business Office Salary & Wages, line 4150-7010, the amount of \$21,000
- Business Office Retirement Contributions, line 4150-7130, the amount of \$4,000

for a total of \$125,000, and to transfer a like amount to Corrections Retirement, line 4230-7130.  
Motion by Comm. Holden, second by Comm. Ziehm.

Comm. Holden explained that the transfer is based on the fact that the current spending pattern of the Department of Corrections Retirement contributions appropriation is insufficient. She noted that the appropriation is insufficient because of action taken at the State level; this is the second request and the companion to Transfer # 2012-21 approved by the Executive Committee on March 23, 2012. Subsequent to the development of the County's FY 12 budget, the Group II employer contribution rate was set at 19.95%. The Department's budget had been developed on an estimated Group II contribution rate of 16.62%.

Motion carried.

Transfer # 2012- 31

Sheriff Hardy presented Transfer # 2012- 31 and requested approval of the transfer to place the Sheriff's Department in the position to purchase a 2009 transport van with just under 17,000 miles that has just become available; the Hooksett Police Department is selling it due to an operational change and not needing the van. He noted that it has very low mileage and would be an appropriate use of Drug Asset Forfeit Funds for the purchase. He also noted that he is requesting that a related pending Transfer that is before the Executive Committee is withdrawn.

Sheriff Hardy added that the purchase price of the van is approximately \$24,000 but would cost the department \$55,000 to \$60,000 fully equipped if it had to purchase and equip a similar van. He added that it has features such as color cameras in the prisoner compartment with a four-channel digital recorder; the department does not have that capability currently with its vans. He added that it would reduce liability issues and monitor health and safety issues. It is also configured to transport individuals with limited mobility and it has a six-person prisoner compartment that can be split to allow for the transport of males and females at the same time. He added that the van would add to the department's capabilities with no impact to the budget. Sheriff Hardy noted that the request also includes equipment for the department such as a high volume fax machine and other equipment.

Comm. Holden explained that she has great concerns about the use of the Drug Asset Forfeiture Funds and the County's liability as well as a potential Federal Audit; she added that she would like to see the Federal Guidelines before approving Transfer # 2012- 31, and would like to see the two transfers for the Sheriff's Office tabled until she has had an opportunity to review the guidelines.

Sheriff Hardy explained that after speaking with the Federal Government, he is he is very confident that his department is well within those guidelines. He added that the guidelines have been reviewed over and over again relative to the appropriate use of the Federal Drug Asset Forfeiture funds, and he believes that it is within the purview of his department to determine how the funds are spent.

Comm. Holden noted that there was a motion to table on the floor. Comm. Ziehm did not second the motion. Comm. Holden withdrew her motion. Comm. Ziehm added that she would like more information.

Sheriff Hardy asked if the Board would be willing to meet before the Executive Committee meeting on May 29<sup>th</sup> so that the full Board would have an opportunity to address the request. The Board agreed to attempt to schedule a meeting to address the Sheriff's request once Comm. Pappas returns; a tentative time was set for May 29<sup>th</sup> at 8:00 a.m.

Sheriff Hardy agreed to provide the guidelines but noted that this is "bad guy" money that is utilized by many Towns; it is not tax dollars and it is not an appropriation. He added that the department has an officer participating in the Task Force and the big benefit is that drugs and narcotics are removed from the street. Comm. Ziehm added that it is not unreasonable to request to see the guidelines, to review, and understand them.

Sheriff Hardy added that the guidelines will be forwarded after this meeting, noting that it was his understanding that they had been reviewed the previous year. Attorney Kirby added that the documents were made available to the persons who requested them. She added that she has spoken with the Department of Justice several times and they have indicated that the County is in compliance with the regulations. Further discussion ensued relative to the use of the funds.

The two transfers that the Sheriff requested will be addressed at the next Board meeting.

#### **4. Public Comment on Agenda Items**

There were no members of the public present who wished to comment

#### **5. Department of Corrections**

Census

Supt. Dionne presented the Department of Correction's Census. He noted that the Census as of May 8, 2012, was 529; he explained that the Census included 448 men, of whom 272 were pre-trial and 176 that were sentenced; there were 81 women, of whom 57 were pre-trial and 24 that had been sentenced, and there were 14 in the community. Supt. Dionne added that they are holding 29 female inmates from Rockingham County and 136 inmates who were diverted by the Mental Health Court prior to coming to the jail.

Supt. Dionne informed the Board that he received a call the previous day from Mark Hayward regarding the ICE Fingerprinting program that started in New Hampshire two days earlier. He explained that Homeland Security initiated the program; all States must comply and at this time, forty-four States are participating. Supt. Dionne noted that the program will include equipment that would be universal and would allow other States and agencies to exchange information.

Supt. Dionne informed the Board that his Chief of Security visited Rockingham County the previous day to look at the video arraignment process and he is awaiting his report. He added that he has spoken with the Superintendent from Belknap County who is not happy about the requirements that the Court has passed on to them as it relates to his staff; Supt. Dionne added that the Belknap Superintendent will be requesting that the Court provide an officer to come to that jail to run the program due to the requirements, including financial affidavits and other issues. There was discussion relative to the MOU's for the different Counties.

#### **6. Nursing Home**

Census

Mr. Moorehead presented the Nursing Home Census; he reported that the Census as of May 10, 2012, was

279, which included 192 Medicaid residents, 46 Private Pay residents, and 40 Medicare residents. He added that the numbers are higher than April, which averaged 273.

#### April Revenue

Mr. Moorehead provided the April Revenue update. He explained that the budget for Room and Board plus ancillaries for April was \$1,821,129, while the actual was \$1,723,055 resulting in a negative variance of \$98,074.

Mr. Moorehead informed the Board that the Nursing Home has calculated where it will be at year end based on the receipt of the ProShare funds and other cash revenue from Room and Board plus ancillaries; he anticipates a negative variance for the year of \$108,000. He offered that a census increase would give them a good shot at making budget, but if they don't, they will attempt to make it up in the expenses.

Mr. Moorehead provided information relative to a request at the last Board meeting regarding the status of those on a waiting list for admission to the Nursing Home. The handout provided the following information:

	<u>Males</u>	<u>Females</u>
➤ Have since been admitted to the facility	2	1
➤ No Medicaid approval	10	2
➤ Currently in Assisted Living-not ready	1	0
➤ Not ready to admit	9	2
➤ Family pursuing guardianship	1	0
➤ Not qualified for Nursing Home care	1	0
➤ At this time, no appropriate bed available	2	7
➤ Awaiting MD and Medicaid approval	<u>1</u>	<u>0</u>
	27	12

#### 7. Sheriff's Office

Sheriff Hardy informed the Board that he received a grant opportunity the previous Friday through the Department of Safety that is time sensitive; it is a grant to provide for the replacement of portable radios that were purchased in 1997 after radio communications became a priority following the review of the shooting of two officers, a judge, and a publisher in the North Country. The grant will provide funding for twelve radios with warranties. Sheriff Hardy requested that the Board approve execution of the agreement, and authorize the Chair sign the grant application. Mr. Wenger noted that the State will be purchasing the radios, not the County; it will not affect the budget. Comm. Holden noted that she wished to see grants as soon as the department heads become aware of them so that the Board can have knowledge prior to the Board meetings.

**Motion:** To authorize the Chair to sign the Department of Safety grant application regarding time-sensitive radio equipment on behalf of the Board. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### 8. Registry of Deeds

Register Coughlin distributed a Revenue Summary for the Board's information. The Board will place the report on file.

#### 9. Old/New Business

There was nothing addressed under Old/New Business.

### **Non-Public Session**

There was a request to meet in Non-Public session along with the County Attorney consistent with RSA 91-A:3 II ( a) relative to personnel.

**Motion:** To move into Non-Public Session with the Attorney Kirby and Attorney Hogan consistent with RSA 91-A:3 II (a) relative to a personnel matter. Motion by Comm. Holden, second by Comm. Ziehm. Ziehm-yes, Holden yes. Motion carried.

The Board moved into Non-Public Session at 9:44 a.m.

The Board met with Attorney Kirby and Attorney Hogan relative to a personnel issue.

The Board took a brief recess.

The meeting reconvened.

The Board moved out of Non-Public session at 9:52 a.m.

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

Mr. Wenger informed the Board that he will be out of the office May 24<sup>th</sup> and 25<sup>th</sup> as well as the afternoon of May 23<sup>rd</sup>.

Comm. Ziehm inquired if the Board had any further business to address.

**Motion:** To appoint Karinne E. Brobst as Assistant County as recommended by County Attorney, D. Hogan. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

### **Adjourn**

There being no further business before the Board, Comm. Ziehm entertained a motion to adjourn.

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

The meeting adjourned at 9:55 a.m.

*Approved 6/27/2012*

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

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Date