

Regular Meeting of the
Hillsborough County Board of Commissioners
June 3, 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, L. Adams, D. Dionne, L. Gero, C. Kirby, B. Moorehead, E. Robinson, G. Wenger, and L. Stonner.

1. CALL TO ORDER

The meeting convened at 9:03 a.m.

Pledge of Allegiance

Attorney Kirby led the pledge to the flag.

2. ADMINISTRATIVE BUSINESS

Approval of Minutes

Motion:

To approve the minutes for the Board of Commissioner's Budget Meeting held on April 6, 2015, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion:

To approve the minutes for the Board of Commissioner's Budget Meeting held on April 7, 2015, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion:

To approve the minutes for the Board of Commissioner's Budget Meeting held on April 9, 2015, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion:

To approve the minutes for the Board of Commissioner's Budget Meeting held on April 16, 2015, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion:

To approve the minutes for the Board of Commissioner's Public Hearing held on May 4, 2015, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion:

To approve the minutes for the Board of Commissioner's Budget Meeting held on May 4, 2015, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion:

To approve the minutes for the Board of Commissioner's regular meeting held on May 12, 2015, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden.

Mr. Wenger requested that the minutes of May 12 be tabled; he noted that there needs to be additional information relative to sealing the minutes of the Non-Public Session held at that meeting.

Comm. Pappas withdrew her motion; Comm. Holden withdrew her second.

Motion:

To table the minutes of May 12, 2015. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Miscellaneous Payroll

Motion:

To approve Miscellaneous Payroll Registers dated May 22, 2015 in the amount of \$2,111.53 and another dated May 28, 2015 in the amount of \$517.80 for a total Miscellaneous Payroll of \$2,629.33, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Regular Payroll

Motion:

To approve a Regular Payroll dated May 21, 2015 in the amount of \$1,081,141.10, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Accounts Payable

Motion:

To approve the following Accounts Payable Registers on the following dates:

- May 26, 2015 in the amount of \$752,029.27
- May 28, 2015 in the amount of \$795.00
- June 2, 2015 in the amount of \$3,585,488.36

The total Accounts Payable is \$4,338,312.63, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2015-24 – Temple Street

Motion:

To approve Transfer # 2015-24 for Temple Street to transfer the amount of \$ 700.00 from Cleaning Services, line 4197-7297 and then to transfer the amount of \$700 to Sewer Expense, line 4197-7640. Motion by Comm. Pappas; second by Comm. Holden. Motion carried.

Comm. Pappas noted that this transfer was needed to pay for Sewer expenses. In response to a question from Comm. Ziehm, Ms. Robinson noted that the additional expense is related to increased water use due to a leaking toilet, subsequently also increasing the Sewer expense.

Transfer # 2015-25 – Commissioner's Office of Administration & Finance

Motion:

To approve Transfer # 2015-25 for the Commissioner's Office of Administration & Finance to transfer the amount of \$ 900.00 from Consulting Expense, line 4140-7230 and to transfer the amount of \$900 to Travel, In-State, line 4140-7700. Motion by Comm. Pappas; second by Comm. Holden. Motion carried.

Mr. Wenger noted that this has been an unusual year and there has been a significant amount of expenses related to travelling; the majority of which is travel back and forth to meetings in Concord. He added that there will be approximately \$100 to \$150 remaining in the Travel line for the remainder of the fiscal year.

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 19, 2015, the total in custody was 450; the Census included 351 men, 129 of whom had been sentenced and 222 that were being held pre-trial; there were 99 women; 39 of the women had been sentenced and 60 were being held pre-trial. He added that the DOC was holding 31 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 17 in the community.

Overtime Impact Report

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

Supt Dionne informed the Board that the Superintendent from Belknap County Department of Corrections has requested that Hillsborough County's DOC accept the temporary transfer of up to 20 inmates for the weekend of motorcycle week in Laconia should their facility become full.

Motion:

To approve the transfer of up to 20 inmates from Belknap County to Hillsborough County Department of Corrections during motorcycle weekend from June 18th through June 20th. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

5. NURSING HOME

Census

Mr. Moorehead presented the Nursing Home Census. He indicated that the Census as of May 21, 2015 was 280; it included 210 Medicaid residents, 39 Private Pay residents and 31 Medicare-Part A or managed care residents. He added that he is anticipating a more recent Census later in the meeting. Mr. Moorehead explained that the Census has dropped over the last two weeks and added that referrals are down and there have been 2 expirations. He noted that he has checked other facilities in the area and their numbers are all down and he has heard that is the case nationwide.

Discussion ensued relative to possible causes for the drop in the Census. The following factors could contribute to the lower Census:

- Elliot Hospital's new Rehab unit is full.
- There is a push to keep people in their homes.
- Home care can be less expensive than Nursing Home care; however, that is not always the case.

Ms. Robinson noted that the County's average billing amount for Nursing Home care is down compared to the previous fiscal year but added that billed amounts for home and community-based care have increased compared to the previous fiscal year. Mr. Moorehead noted that a concern is whether those remaining in the home are getting the same quality of care that they would in a Nursing Home.

Mr. Moorehead noted that he now has the Census for the week of May 28th. He indicated that the Census was 276; it included 209 Medicaid residents, 41 Private Pay residents and 26 Medicare-Part A or managed care residents. He explained that his main concern is what is happening on the Medicare side.

Bid # 10-2015 – C-3 Bathroom Renovation

Motion:

To approve Bid # 10-2015 for the Nursing Home for a Bathroom Renovation on Unit C-3, and to award the bid to Tile Concepts, Dunbarton, NH at a price of \$20,947.11, noting that it is the lowest responsible bidder meeting the specifications. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Moorehead noted that this project had to be approved by the State because of the scope of the project and indicated that approval was recently received.

6. OLD/NEW BUSINESS

Ms. Gero requested Board approval of Bid # 2016-01 for a Postage Machine and Meter be approved, noting that it was presented at the last Board meeting. Mr. Wenger noted that the Board approved the bid at its last meeting subject the appropriation of funds in FY2016 and approval by Legal Counsel. Ms. Gero noted that it has been reviewed by the Legal Counsel; the issue was that it was a five-year contract. In response to a question from Comm. Ziehm, Ms. Gero responded that the contract does have an “out clause.”

The Board discussed whether it would be better to have a 3-year contract as opposed to a 5-year contract. Comm. Ziehm indicated that she would like to see the price for 3 years as well as 5 years. Mr. Wenger explained that this is a more of a policy issue and noted that 5 year bids are rare and suggested that it would be appropriate to request prices for 1, 3, and 5 years. Following discussion, the Board agreed to rescind the bid and request that the Registry send out a new RFP that requested prices for both 3 years and 5 years.

Motion:

To rescind Bid # 2016-01 for the Pitney Bowes Postage Machine and Meter. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion:

To go out to bid for the Pitney Bowes Postage Machine and Meter for a 3-year period in a timely manner so that the Registry has the new bid by July 1st. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

NACO Voting Credentials

The Board discussed the NACO Voting Credentials for the Conference. Mr. Wenger noted that the Board needs to designate a voting delegate and an alternate as well as authorizing the Chair to sign the Credentials (Voting) Form and to designate the person who will pick up the ballots. Comm. Holden indicated that Hillsborough County gets 2 votes; she will pick up the ballots.

Motion:

To authorize the Chair to sign the Credentials (Voting) Form and to appoint Comm. Holden as the delegate and Comm. Pappas as the alternate. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

County/State Finance Committee

Mr. Wenger informed the Board that a workshop meeting has been scheduled for Monday, June 8, 2015 at 10:00 a.m. at the Brown Building with Commissioner Toumpas and others; it is a kick-off meeting to discuss Medicaid Managed Care. Comm. Holden indicated that she will attend and recommended that Mr. Moorehead and Ms. Robinson also attend.

Mr. Moorehead noted that the County Nursing Home affiliate has put together a statement that they would like the Commission to consider that addresses MQIP, commissions, and ProShare. Mr. Wenger added that it is important for the Board to be aware what the affiliate is saying because all ten Counties may not be on the same page.

Ms. Robinson explained that the on the Human Services side, changes to the Cap being proposed by the Senate include:

- The MQIP is put back in. The rate of 25% represents an increase in Revenue for Hillsborough County of approximately \$600,000 to \$700,000 that will revert back to the Nursing Home budget.
- The Cap is increased by \$2,062,000 in fiscal year 2015 and \$760,000 in fiscal year 2017.
- The change will cost Hillsborough County approximately \$600,000 in FY2016 and \$179,000 in FY 2017.

Ms. Robinson explained that the proposed House budget saves the County approximately \$230,000 in the first year and would cost the County \$203,000 in the second year, thus for the two years it would save \$27,000 but it would cost the County \$600,000 to \$700,000 for the MQIP diversion. She added that it is her belief that the Senate budget is a better budget for the County. She explained that the Senate has made the assumption that Managed Care will save 5.2 million dollars in fiscal year 2017 related to long term costs but they are not planning to pass the savings on to the Counties; the State will reduce the State share and still raise the Cap slightly. The Board favored having County representatives attend the meeting.

FY 2016 Budget

Discussion ensued relative to the recent Executive Committee meeting and actions taken. Mr. Wenger noted that the MS-42, that includes the Executive Committee's proposed budget, is in the mail; it is being sent to the Delegation and communities and will be presented at the Executive Committee's Public Hearing as the proposed budget. Mr. Wenger noted that the information that went out from the Commissioner's relative to its budget was that there would be no increase in the amount to be raised by taxes; however the Executive Committees' recommendation includes an increase of 7.8 % in the amount to be raised by taxes. Discussion ensued and the Board clearly did not favor the increase in the use of Surplus resulting in an increase in the amount to be raised by taxes.

The Board discussed the motion at the Executive Committee meeting seeking to amend the budget in order to add an appropriation to support a drug court in the City of Manchester. A review of the Executive Committee discussion as well as ongoing discussions in the City of Manchester followed. It was noted that the request for additional funds, in the range of \$460,000 was offered for the first time at the end of the Executive Committee meeting and that it has never been discussed with the Board or vetted by the County. Significant concerns regarding the lack of process and the impact of the potential funding on the budget and the impact the additional funds could have had on the Board's budget recommendation were raised. Responsibility for the operation of courts previously transferred from the counties to the State, and the unwillingness of the State to provide funds was discussed. Concerns regarding once again shifting a State responsibility to the County taxpayer without any input from the Board or understanding of the request were explored. While support for the premise of a drug court was expressed, concern for the lack of process and the traditional vetting of such request to the County were significant.

Comm. Ziehm remarked that not only had the budget process been circumvented, but that the request is not only for \$400,000 now but would likely increase to \$1,000,000 in 2 years that would continue every year, even though the responsibility for the Courts was taken away from the Counties several years ago. She added that it seems like the State not only wants the funds to come from the Counties or communities, but also wants to retain control of the Courts while using the County's funds. It was noted that this action would be to the detriment of the infrastructure of the County and its primary functions as well as to its taxpayers.

Collective Bargaining Agreements – Ratification

Mr. Wenger explained that one Bargaining unit contract has been ratified and added that he has 3 Bargaining Unit contracts ready for ratification at this meeting that were approved by the Executive Committee the previous Friday; he added that there are 3 remaining contracts to be settled.

Mr. Wenger explained that the additional cost for the 6 contracts is \$165,128 and would bring the amount to be raised by Taxes increased to 8.2% if the Delegation approves the proposed reduction of Surplus used to balance the budget.

The Board addressed ratification of the contracts and offered the following motions:

Motion:

To ratify the collective bargaining agreement between Hillsborough County and Teamster's Local #633, Supervisory employees of the Hillsborough County Department of Corrections for 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. Motion carried.

Motion:

To ratify the collective bargaining agreement between Hillsborough County Board of Commissioners and Hillsborough County Department of Corrections Local # 3657 American Federation of State, County, and Municipal employees, AFL/CIO for 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. Pappas, second by Comm. Holden. Motion carried.

Motion:

To ratify the collective bargaining agreement between Hillsborough County Board of Commissioners (Hillsborough County Attorney's Office) and Teamster's Local #633, Secretarial, Clerical and Professional Employees of the Hillsborough County Attorney's office for 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. Motion carried.

The Board expressed its appreciation for Mr. Wenger's efforts during the negotiation process.

Comm. Ziehm noted that there are 2 Department Head reviews pending that need Board review and approval. She added that there are 2 requests for Non-Public Session.

7. TEMPLE STREET

Bid – Temple Street #15-01

Ms. Robinson explained that the aforementioned bid is to cover the replacement of one of the Compressors at on the roof unit at Temple Street; she added that the unit is working temporarily with one compressor but the other needs to be replaced.

Motion:

To approve Bid Temple Street #15-01 for the replacement of a compressor and repair. The lowest responsible bidder, and only bidder, is J. L. Hall, Nashua, NH in the amount of \$6,433.17. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Ms. Robinson explained that J. L. Hall is the current vendor providing the service and the only vendor that responded even though the bid was sent to 10 vendors.

Ms. Robinson requested that the Board authorize the Chair to sign contract for the security upgrade at the Complex to be provided by Stanley; the Board approved the contract at an earlier meeting.

Motion:

To authorize the Chair to sign the contract with Stanley Convergent Security Solutions, Inc. for a security upgrade at the County Complex. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger explained that he received a call from a gentleman who is trying to get a foreign document certified; the document requires the signatures of a Notary Public and the Clerk of Hillsborough County, and a State signature relative to foreign documents. Mr. Wenger observed that while the Board of Commissioners and the County Delegation each have Clerks, the County does not have an elected Clerk. Discussion ensued and the Board agreed to appoint a County Clerk based on the fact that the Board of Commissioners is responsible for the operations of the County.

Motion:

To authorize the Clerk of the Board of Commissioners to authorize its Clerk to temporarily represent the County as the County Clerk for the purpose of executing the gentleman's foreign document. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger explained that this is the legal process necessary to certify to the foreign country that the document is a legal document.

Mr. Wenger informed the Board that the YMCA is looking to push forward with the Youth Center Grant that has been approved; it is requesting that the County approve the draft documents relative to the CDBG grant although the final documents have not been approved yet. He added that a Memorandum of Understanding (MOU) is being developed that will outline the YMCA's and the County's responsibilities. He noted that he is not comfortable bringing a contract to the Board until the County has the final contract details; he noted that he has reviewed the draft contract and added that the MOU should address any issues.

The Board discussed its meeting schedule and agreed schedule the next meeting for June 16th at 9:00 a.m.; the Board will not meet on June 9th.

Comm. Ziehm noted that she received a call from a Nashua policeman who asked who the person is that approves character references at the County level; he indicated that it sometimes takes as long as 6 weeks to get the report frequently resulting in them losing the candidate because of the wait. Mr. Wenger asked Comm. Ziehm to have the person contact him and he will follow up.

Comm. Holden excused herself and left the meeting.

Comm. Ziehm noted that the Board would postpone the reviews until all Commissioners can be present.

8. 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 (a) relative to a personnel issue. Motion by Comm. Pappas, second by Comm. Ziehm. Ziehm-yes, Pappas-yes. Motion carried.

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

The Board met with Mr. Wenger.

The Board moved out of Non-Public Session at 11:16 a.m.

Motion:

To move out of Non-Public Session; motion by Comm. Pappas, second by Comm. Ziehm. Ziehm-yes, Pappas-yes. Motion carried.

Mr. Wenger noted that the Delegation Public Hearing will be held on June 22nd, to be followed by a meeting of the Executive Committee and the full Delegation will meet on the evening of June 23rd.

9. ADJOURN

Motion:

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

The meeting adjourned at 11:17 a.m.

Approved on June 16, 2015

Comm. Toni Pappas, Clerk
Hillsborough County Board of Commissioners

Date