

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**June 12, 2013**  
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, P. Coughlin, D. Dionne, C. Kirby, Montminy, B. Moorehead, M. Rioux, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

**Also Present:** Leo Lafreniere, City of Manchester

**Call to Order**

Comm. Pappas called the meeting to order at 9:07 a.m. Comm. Ziehm led the Pledge of Allegiance.

**Administrative Business**

Minutes

**Motion:** To approve the minutes of the Board of Commissioner's meeting held on April 16, 2013. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve the minutes of the Board of Commissioner's meeting held on April 18, 2013. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve the minutes of the Board of Commissioner's meeting held on May 15, 2013. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Approval of Payroll Registers

**Motion:** To approve a Miscellaneous Payroll dated May 29, 2013 in the amount of \$1,148.97, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve a Miscellaneous Payroll dated June 4, 2013 in the amount of \$879.20, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve a Miscellaneous Payroll dated June 6, 2013 in the amount of \$460.77, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve a Miscellaneous Payroll dated June 6, 2013 in the amount of \$489.14, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve a Miscellaneous Payroll dated June 11, 2013 in the amount of \$160.00, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve a Miscellaneous Payroll dated June 11, 2013 in the amount of \$84.64, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

**Motion:** To approve a Regular Payroll dated June 6, 2013 in the amount of \$1,144,129.88, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Comm. Holden joined the meeting.

Approval of Accounts Payable Register:

**Motion:** To approve the Accounts Payable register dated June 11, 2013, in the amount of \$6,082,224.28, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Extradition Vouchers

**Motion:** To approve the following Extradition Vouchers in the following amounts:

2/27/13	\$ 95.22
2/28/13	222.35
3/1/13	95.22
3/4/13	76.17
3/5/13	88.94
3/5/13	88.94
3/8/13	664.32
3/14/13	91.99
3/14/13	50.85
3/15/13	382.76
3/21/13	373.47
3/29/13	118.42
4/4/13	177.99
4/4/13	463.13
4/10/13	167.80
4/16/13	146.83
4/17/13	189.00
4/23/13	2,422.43
4/24/13	2.00
4/25/13	296.17
4/26/13	492.74
5/9/13	166.76

Comm. Holden noted that the aforementioned Extraditions total \$6,873.50 and added that they have been previously approved by the County Attorney. Motion made by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To approve the following Extradition Vouchers in the following amounts:

5/14/13	\$ 165.24
5/14/13	210.70
5/15/13 - 5/16/13	943.69
5/21/13	63.57

Comm. Holden noted that the aforementioned Extraditions total \$1,383.20, and added that they have been previously approved by the County Attorney. Motion made by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Bid for Motor Vehicle Fleet-Sale of Vehicle

Mr. Wenger explained that this Bid is for the sale of a County Vehicle; it is one of the older ones in the Fleet. He noted that the highest responsible bidder is Carroll Street Auto, Manchester, NH at a price of \$500.

**Motion:** To approve the bid for the sale of a County Vehicle to Carroll Street Auto, Manchester, NH at a price of \$500 noting that it is the highest responsible bidder. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger added that this money will go into Revenue.

#### Budget Transfer # 2013-43

**Motion:** To approve Budget Transfer # 2013-43 for the Department of Corrections to transfer the amount of \$60,000 from Salaries/Wages, and to transfer a like amount to Medical/Dental-Males. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Budget Transfer # 2013-44

**Motion:** To approve Budget Transfer # 2013-44 for the Department of Corrections to transfer the amount of \$45,000 from Salaries/Wages, and to transfer a like amount to Food. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Budget Transfer # 2013-45

**Motion:** To approve Budget Transfer # 2013-45 for the County Attorney to transfer the amount of \$5,000 from Salaries/Wages, and to transfer a like amount to Extraditions. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Budget Transfer # 2013-46

**Motion:** To approve Budget Transfer # 2013-46 for the County Attorney to transfer the amount of \$5,000 from Salaries/Wages, and to transfer a like amount to Medical Referee. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Budget Transfer # 2013-47

**Motion:** To approve Budget Transfer # 2013-47 for the County Attorney to transfer the amount of \$1,000 from Travel-In State and to transfer a like amount to Office Supplies. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Budget Transfer # 2013-48

**Motion:** To approve Budget Transfer # 2013-48 for the Nursing Home to transfer the amount of \$5,000 from Laundry-Gas/Heating, and to transfer the amount of \$4,000 from Dietary-Gas/Heating, and then to transfer the amount of \$9,000 to Pharmacy/Other Fees & Services. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Budget Transfer # 2013-49

**Motion:** To approve Budget Transfer # 2013-49 for the Nursing Home to transfer the amount of \$10,000 from Rehabilitation Salaries and to transfer a like amount to Pharmacy. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Moorehead noted that the second to last word in the paragraph that describes the reason for the transfer should read Medicare, not Medicaid.

#### Budget Transfer # 2013-50

**Motion:** To approve Budget Transfer # 2013-50 for the Department of Corrections to transfer the amount of \$7,500 from Insurance WC/Liability and to transfer a like amount to Retirement. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Budget Transfer # 2013-51

**Motion:** To approve Budget Transfer # 2013-51 for the County Convention to transfer the amount of \$40 from Insurance WC/Liability, and to transfer a like amount to Retirement. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

#### Public Comment on Agenda items

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

#### Department of Corrections

Supt. Dionne presented the Department of Correction's census. He noted that as of June 4<sup>th</sup>, the total in custody was 553; it included 446 men; 155 had been sentenced and 291 were awaiting trial; there were 107 women in custody; 44 had been sentenced and 63 were awaiting trial. Supt. Dionne added that there were 6 inmates in the Pre-Trial Supervision Program (PSP), 25 in the community, and 157 in the diversionary Mental Health program; 89 are from Nashua and 68 are from Manchester. He added that the DOC is also holding 43 females from Rockingham County.

Supt. Dionne informed the Board that he provided the Overtime Impact Report for the record.

Supt. Dionne informed the board that the NH Division of Public Health, Infectious Diseases Department, spoke at a recent Superintendent's Affiliate meeting providing information relative to the Ryan White Care Program that provides funds for individuals with diseases such as Aids; the County is now involved in the program and has saved \$11,050.61 over the last 2 months on HIV medications that the State has provided through this program. It is a volunteer program; 3 of the 5 inmates with Aids at the DOC are participating; the other 2 elected not to participate.

Supt. Dionne explained that based on the need for today's transfer into the food line, the DOC will be requesting additional funding for FY2014 for food and clothing, but the change will be revenue neutral because it is based on housing additional women inmates from Rockingham County; he will increase the offsetting Revenue line by increasing the projected number of women inmates from 35 to 39; which will make up the difference of the \$83,950 that he will be asking for in food and clothing. He added that he will provide the Board with information and will present it at the next level. Mr. Wenger noted that since the Executive

Committee's budget has been published, the process will be to speak with the DOC's Sub Committee Chair, Rep. Jasper, but ultimately, the change will have to be done through a motion at the Delegation meeting.

### **Nursing Home**

#### Census

Mr. Moorehead presented the Nursing Home census; he indicated that the Nursing Home Census as of June 6, 2013 was 279 residents; it included 208 Medicaid residents, 37 Private Pay residents and 34 Medicare, Part A residents, and/or managed care.

#### May Revenue

Mr. Moorehead referred the Board to the revenue handout and explained that this is an unaudited report; the budgeted revenue for Room and Board and ancillaries for the month was \$1,872,995 and the actual April revenue was \$1,810,330, which resulted in a negative variance of \$62,665 for the month. He explained that much of the variance is due to the GI bug that ran for about 3 weeks during which time admissions were shut down for the skilled unit. He added that the bug has subsided and there have been no recurrences for 7 or 8 days.

#### Year to Date Revenue

Mr. Moorehead indicated that this report highlights the 3 main categories of revenue; ProShare, which is paid in June, is budgeted at \$2,000,000 and is estimated to be approximately \$3,600,000 resulting in a positive variance of \$1,600,000. He added that the year to date Room & Board and Ancillary services is budgeted at \$20,602,945 with an actual of \$19,924,113 resulting in a negative variance of \$678,832. He further added that Bed Tax year to date, which includes payments for 3 quarters, is budgeted at \$1,800,000 while the actual is \$1,819,867 resulting in a positive variance of \$19,867. He summarized by saying that cumulatively he is estimating that there will be a positive revenue of \$941,000 by year end; he emphasized that the amount of the final ProShare payment is a key component of that projection.

### **Registry of Deeds**

Register Coughlin provided a Revenue summary for the Board and noted that May was a very big month; she added that the Registry has already hit the projected year end Revenue; any Revenue received in June will be a bonus. She estimated that Revenue for the year will be approximately 3.7 million.

Register Coughlin requested that the Board address preservation of the older books at the Registry; she noted that this is the 5<sup>th</sup> year of the contract and the vendor is asking for a 5% increase for the current year and 5% for the following year.

**Motion:** To authorize a 5% increase in the FY2013 fees paid for work performed under the contract between Brown's River Marotti Co. d/b/a Kofile Preservation Service; and a 5% increase in the FY2014 fees paid for work performed under the contract between Brown's River Marotti Co. d/b/a Kofile Preservation Service contract, provided that in authorizing this increase Hillsborough County is in no way bound or required to agree to any additional increase during the remainder of the agreement and that Kofile will notify the County if costs decrease and adjust pricing downward to reflect any decrease. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Register Coughlin noted that she was not at the last meeting and was not included in discussion regarding an email that was forwarded to the Board relative to an RFP; she requested that she be included in any future emails or discussion relative to the Registry RFP's.

## Old/New Business

Comm. Pappas recognized Leo LaFreniere from the City of Manchester who is present to discuss the CDBG Grant.

Mr. Wenger noted that Mr. LaFreniere is here relative to wrapping up the CDBG Grant for Manchester; he noted that it is his understanding that the project is nearing completion and there are number of requirements that the County must meet; they include:

- a Sub-Recipient Agreement; the funds are to be passed through the County to the Manchester Community Resource Center in property owned by the City,
- a claim to get the grant funds, and
- a close-out document

He added that the City of Manchester is asking for a budget revision; the original grant was approved for \$250,000; the sub-recipient was to receive \$237,500 and the County would hold a 5% administration fee in the amount of \$12,500. He noted that the City is asking that the entire \$250,000 go towards the construction project. He added that the agreements have been reviewed by Counsel and the changes that were requested have been included. He noted that the Board may wish to discuss the numbers relative to the amount going to the sub-recipient, and then consider execution of the documents.

Comm. Ziehm noted that it is her understanding that the administrative fee would be paid to the County and asked if there was any reason that should change. Comm. Holden noted that Mr. Wenger has spent a considerable amount of time; Attorney Kirby also spent time with this project.

Mr. LaFreniere noted that with the City's discussions with CDFA, both CDFA and his organization, as it exists today, did not have that understanding originally. He added that the people involved with the formulation of the grant are no longer with the City. He apologized for any misunderstanding and added that the City is prepared to make any adjustments that are appropriate in that they understood that the administration fees were part of the total grant; he added that the City's plan was to put all the funds into the project rather than to keep the administration fees. He noted that the project is still short-funded and they are still working on trying to sell tax credits as well as working with local business entities to enlist their support. Mr. LaFreniere added that the City is very pleased with the outcome; however, and believe it to be a big benefit to the City and the County, and ultimately to the low-to-moderate income citizens. He added that after speaking with Mr. Wenger, he understands the situation and the City is prepared to make whatever adjustments to have the County's time recognized and compensated. He added that the City very much appreciates the efforts of the County. He noted that CDFA will require an accounting of the hours spent on the project.

Comm. Holden noted that originally there were 2 applicants for \$500,000 in grant money, and the City of Manchester published a notice that it would be applying for the full \$500,000. She added that there were issues, but noted that the Board did agree that the County would receive the administrative fee. Comm. Ziehm concurred, and added that to change it at this time could set a precedent going forward. Mr. LaFreniere indicated that in no way did the City mean to discount the efforts of the County; in fact it appreciates the partnership.

In response to a question from Comm. Pappas relative to accounting for the time spent on the project, Mr. Wenger indicated that he fully anticipated that requirement, as did Attorney Kirby. Comm. Pappas noted that Board agreed that it was their understanding that the administrative fee would go to the County because the grant involved a great deal of work. Mr. Wenger noted that he will prepare the documents.

**Motion:** To authorize the Chair to execute the documents to close out the Manchester Community

Resource Center grant. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Mr. LaFreniere expressed his appreciation for the County's involvement with the grant and emphasized that there was no intent to slight the County; it was a misunderstanding. He added that they are very pleased with the project results and invited the Commissioners to stop by and look at the Community Center; he thanked the Board, excused himself and left the meeting.

### **Old/New Business**

#### BOC Meeting Schedule

The Board reviewed its proposed meeting schedule, noted conflicts, and agreed to approve the schedule for distribution. Comm. Ziehm indicated that she will not be available for the July 10<sup>th</sup> meeting.

Mrs. Castonguay informed the Board that a cookout will be held at 5:00 p.m. prior to the June 20<sup>th</sup> Delegation meeting that is scheduled for 6:00 p.m. Comm. Pappas noted that the Public Hearing will be held on June 18<sup>th</sup>, the Executive Committee will meet on June 19<sup>th</sup>, and the full Delegation will meet June 20<sup>th</sup>.

Mr. Wenger informed the Board that New Hampshire Motor Speedway is once again offering discounted tickets for County employees for the New Hampshire 300 race and asked the Board if it wished to share the offer with employees; it is for a \$10 ticket with a \$3 service fee.

**Motion:** To extend the New Hampshire Motor Speedway tickets offer to Hillsborough County employees. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Comm. Pappas noted that Mr. Wenger, Comm. Holden, Ms. Robinson, Mr. Moorehead and she attended the Veteran's Hospice Outreach program. She added that Mr. Moorehead offered a suggestion that the County could consider using the Women's Prison and possibly part of the Bouchard Building for a homeless veteran's facility with the possibility of garnering revenue from Federal funding. Comm. Ziehm noted that it was done in Nashua through NH Housing and is usually subsidized by the Federal Government. She added that the demand for permanent housing is greater than temporary housing. Mr. Moorehead noted that there are estimated to be almost 400 homeless veterans in the State of NH.

Comm. Ziehm expressed her appreciation for the "space for rent" sign that was placed in front of the Complex.

Comm. Holden noted that she will be emailing a report relative to NHAC meeting that she attended.

Comm. Holden informed those present that the NACo Board approved adding other services to the prescription drug card; they include

- lab test – 20-70% reduction in costs
- imaging
- hearing aids and exams – free exams and 35% off hearing aids
- vision
- diabetic supplies

Comm. Holden explained that the appropriations in Congress are going forward in spite of no budget spending bills.

Comm. Holden explained that NH is one of 5 States that does not have a sales tax and noted with the "Marketplace Fairness Act," New Hampshire would be able to expand its ability to collect sales on purchases from out of state retailers for internet sales from States with a sales tax.

Comm. Holden communicated that she was at a Rural Action Caucus (RAC) fly-in and she met with Sen. Ayotte and people in Sen. Shaheen's office. She noted that Sen. Ayotte offered an amendment that would carve out the 5 non-sales tax States; it did not pass in the Senate. She added that she mentioned it at the NHAC meeting and is hopeful that there can be an addition to a bill to carve out the 5 non-sales tax States.

Comm. Holden noted that the Western Interstate Region had proposed purchasing 5 million in taxable municipal bonds to add to their portfolio; she added that it would not help the Counties and it was defeated.

Comm. Holden observed that there was a Community Cooperative Purchasing program scheduled for May 29<sup>th</sup> in Chelmsford, but the information was sent very late; another meeting is scheduled and will be held in New Hampshire and the few viable Maine and Massachusetts Counties will also be invited.

Ms. Robinson noted that the Cap number for Medicaid is in a state of flux between the House and the Senate; hopefully the Senate version will be approved.

In response to a question from Comm. Ziehm relative to security at 19 Temple Street, Ms. Robinson noted that only one bid has been received; the bid that will be presented to the Board at its next meeting; She added that she has found a source for the velvet rope. Ms. Robinson informed the Board that outside shrubs have been removed to eliminate places where people could hide, and painting have been done.

Mr. Wenger noted that it was his understanding that the Board has received a request from an employee to meet with the Board; he noted that with the Board's consent, he will forward a letter advising the employee relative to the requirements and administrative procedures to follow as well as the contract provisions.

Mr. Wenger requested that the Board authorize someone to execute the title relative to the bid for selling the vehicle presented earlier in the meeting.

**Motion:** To authorize the County Administrator to execute the title. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Mr. Wenger requested an opportunity to meet with the Board in Non-Public Session consistent with 91-A:3 II (a) relative to personnel.

Mr. Wenger noted that the FY2014 budget, as published by the Executive Committee, reflects an increase in the amount to be raised by taxes of approximately 6.3% or 6.5% with the contracts included.

The meeting recessed.

**Motion:** To move into Recess. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

**Motion:** To reconvene the meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Comm. Pappas entertained a motion to move into Non-Public Session.

**Motion:** To move into Non-Public session with:

- Supt. Dionne and Attorney Kirby consistent with RSA 91-A:3 II (e) relative to litigation.
- Mr. Wenger consistent with RSA 91-A:3 II (e) 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 approximately 10:00 a.m.

The Board met with Supt. Dionne and Attorney Kirby.

The Board met with Mr. Wenger.

The Board moved out of Non-Public Session at 10:44 a.m.

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

**Motion:** To indemnify former Field Training Correctional Officer, Nicolas Granville, pursuant to NH RSA 29-A:2, in the matter of Thompson v. Nicolas Granville, et al.

**Motion:** To indemnify Lieutenant Vinnie William, pursuant to NH RSA 29-A:2, in the matter of Thompson v. Nicolas Granville, et al.

**Motion:** To indemnify Sergeant Todd Gordon, pursuant to NH RSA 29-A:2, in the matter of Thompson v. Nicolas Granville, et al.

**Motion:** To indemnify two Jane Does who are mail clerks, David Dionne, Marc Cusson, James O'Mara, and Jonathan Plumpton pursuant to RSA 29-A:2, in the matter of Jonathan Perfetto v. Hillsborough County Department of Corrections, et al.

Lacking further business, Comm. Pappas entertained a motion to adjourn.

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

The meeting adjourned at 10:50 a.m.

*Approved 7/25/13*

---

Comm. Sandra Ziehm, Clerk  
Hillsborough County Board of Commissioners

---

Date

