

Regular Meeting of the
Hillsborough County Board of Commissioners
June 16, 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, G. Fisher, J. Hardy, L. Adams, C. Kirby, M. Montminy, B. Moorehead, D. Reidy, E. Robinson, G. Wenger, and L. Stonner.

1. CALL TO ORDER

The meeting convened at 9:02 a.m.

Pledge of Allegiance

Mr. Reidy 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 May 12, 2015. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion:

To approve the minutes for the Board of Commissioner's Regular Meeting held on June 3, 2015. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Miscellaneous Payroll

Motion:

To approve the following Miscellaneous Payroll Registers on the following dates in the following amounts:

- June 4, 2015 in the amount of \$385.28
- June 9, 2015 in the amount of 987.86
- June 11, 2015 in the amount of \$347.60

for a total Miscellaneous Payroll of \$1,720.74, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Regular Payroll

Motion:

To approve a Regular Payroll dated June 4, 2015 in the amount of \$1,168,102.79 subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Accounts Payable

Motion:

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

- June 9, 2015 in the amount of \$2,680,137.52
- June 15, 2015 in the amount of \$286,079.17

The total Accounts Payable is \$2,966,216.69, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Extradition Vouchers

Motion:

To approve the following Extradition Vouchers, noting that they have been previously approved by the County Attorney. Motion by Comm. Holden, second by Comm. Pappas. Motion carried

March 30, 2015	\$ 68.68
March 30, 2015	148.80
April 13, 2015	66.10
April 27, 2015	348.72
May 6, 2015	183.13
May 6, 2015	114.46
May 11, 2015	206.03
May 27, 2015	66.10
Grand Total	\$ 1,202.02 Total Extraditions

Transfer # 2015-26 – County Attorney

Motion:

To approve Transfer # 2015-26 for the County Attorney's office to transfer the amount of \$ \$94 from Consulting, line 4123-7230 and then to transfer the amount of \$94 to Education & Conference, line 4123-7170. Motion by Comm. Pappas; second by Comm. Holden. Motion carried.

Comm. Holden and Comm. Ziehm asked if this was an expected expense and if it should have been included in the budget. Attorney Hogan indicated that it was a small amount that was not anticipated. He explained that this is to cover an Ethics Conference for CLE's for B. Harpster. Comm. Ziehm suggested that such expense may not have been budgeted correctly and recommended that it be allocated going forward. Comm. Pappas noted that it is sometimes difficult to target expenses.

Transfer # 2015-27 – Commissioner's Office of Administration & Finance

Motion:

To approve Transfer # 2015-27 to transfer the amount of \$ \$3,000.00 from the Computer Information Systems Health Insurance, line 4151-7120 and to transfer the amount of \$3,000 to Commissioner's Office of Administration & Finance-Health Insurance, line 4140-7120. Motion by Comm. Pappas; second by Comm. Holden. Motion carried.

Mr. Wenger explained that this motion appropriately adjusts the Health Insurance lines, which is typically necessary after getting final rates for Health Insurance.

Transfer # 2015-28 – Nursing Home

Motion:

To approve Transfer # 2015-28 to transfer the amount of \$19,000 from Nursing Home Activities, line 4417-7120 and then to transfer the following amounts to the following lines: \$2,000 to Nursing Home Housekeeping, line 4416-7120; \$1,000 to Nursing Home Social Services, line 4418-7120; \$2,000 to Nursing Home Maintenance, line 4412-7120; and \$14,000 to Nursing Home Rehabilitation, line 4421-7120 for a total transfer of \$19,000. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Moorehead noted that the motion appropriately adjusts the Health Insurance lines.

Transfer # 2015-29 – Registry of Deeds to County Attorney

Motion:

To approve Transfer # 2015-29 to transfer the amount of \$10,000 from Registry of Deeds Health Insurance, line 4193-7120 and then to transfer the amount of \$10,000 to County Attorney Health Insurance, line 4123-7120. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2015-30 – County Attorney

Motion:

To approve Transfer # 2015-30 for the County Attorney's Office to transfer the amount of \$5,000 from Consulting, line 4123-7230 and to transfer the amount of \$5,000 to Extradition Expense, line 4123-7411. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Comm. Pappas noted that the reason for the aforementioned transfer relates to needing extra money for expedition expenses estimated by the Sheriff's Department.

Transfer # 2015-31 – Commissioner's Office of Administration & Finance (COAF)

Motion:

To approve Transfer # 2015-31 for the Commissioner's Office of Administration & Finance to transfer the amount of \$10,000 from Salaries/Wages line 4140-7010, and then to transfer the amount of \$10,000 to Telephone, line 4140-7680. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger noted that the aforementioned transfer is to balance telephone expenses for all departments for the remainder of the Fiscal Year. He added that the line is short this year because of the difficulties the County has experienced with Fairpoint and the related difficulty in moving to another vendor. He added the project became more complicated this week as Fairpoint is unwilling to cooperate and share the pipe that runs to 300 Chestnut Street; they will not allow Comcast to share the pipe despite the fact that there is significant room in the pipe.

Bid # CIS-17-2015 – FY 2015 Cisco Smartnet

Motion:

To approve CIS Bid # 17-2017 for FY 2015 Cisco Smartnet Hardware License Renewal; the lowest responsible bidder meeting the specifications is Insight Public Sector, Tempe, AZ at a price of \$22,960.88. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion:

To approve CIS Bid # 18-2015 for FY 2015 Purchase of 4 Laptops; the lowest responsible bidder is GovConnection, Merrimack, NH, at a price of \$5,128.04. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Wenger noted that now that the Board has approved Bid # 18-2015, he would request that the Board rescind its action of April 29, 2015 at which time it approved CIS Bid # 16-2015 for the purchase of 6 Laptops; he added that because of the lag time for approval of the bid, the Vendor had sold the Laptops and they were no longer available.

Motion:

To rescind the Board's action of April 29, 2015, related to CIS Bid # 16-2015. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2015-32 – Registry of Deeds

Motion:

To approve Transfer # 2015-32 for the Registry of Deeds to transfer the amount of \$20 from Salaries/Wages, line 4193-7010 and then to transfer the amount of \$20 to Overtime, Line 4193-7011. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Ms. Robinson explained that the Overtime was necessary because of carpet installation; the Registry had to move its Recording Office in order to be able to continue recording during the time of the installation.

3. PUBLIC COMMENT ON AGENDA ITEMS

There was no one from the Public who wished to comment on Agenda Items.

4. DEPARTMENT OF CORRECTIONS

Census

Ms. Montminy presented the Department of Correction's (DOC's) Census. She noted as of June 9, 2015, the total in custody was 465, of which 448 were in-house; the Census included 373 men, 132 of whom had been sentenced and 241 that were being held pre-trial; there were 92 women; 34 of the women had been sentenced and 58 were being held pre-trial. She added that there is 1 Active Weekender, 3 in the Pre-Trial Services Program, and 2 at the State hospital; the DOC was holding 31 female inmates from Rockingham County.

Ms. Montminy informed the Board that 144 individuals were diverted through the Mental Health Courts; 74 were from Manchester and 70 from Nashua, and there were 17 in the community.

Ms. Montminy indicated that she has a renewal for the annual Belknap County agreement for housing inmates that requires Board approval. The Board agreed to execute the agreement.

Overtime Impact Report

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

Ms. Montminy requested that the Board approve the renewal of the housing contract with Belknap County; the contract requires the signatures of all 3 Commissioners.

Motion:

To approve the renewal of the housing contract with Belknap County. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

It was noted that the contract requires the signatures of all 3 Commissioners.

5. NURSING HOME

Census

Mr. Moorehead presented the Nursing Home Census. He indicated that the Census as of June 11, 2015 was 276; it included 204 Medicaid residents, 41 Private Pay residents and 31 Medicare-Part A or managed care residents.

May Revenue

Mr. Moorehead presented the revenue report for May. He explained that the budgeted Room & Board and ancillary budget was \$1,930,454 while the actual was \$1,944,489 resulting in a positive variance of \$14,035

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 \$21,234,994 while the actual is \$21,345,989 resulting in a positive variance of \$110,995. He noted that the year-to-date MQIP budget for 3 quarters of Fiscal Year 2015 is \$2,400,000 while the actual MQIP payment was \$2,731,416 resulting in a positive variance of \$331,416. The total for all revenue is \$442,411 over budget.

Mr. Wenger informed those present that the last ProShare payment is scheduled to be paid on June 18, 2015; he added that he received notification that the County will be receiving \$3,557,779.50 while the budget is \$3,275,000 resulting in a positive variance of \$282,779.50.

Mr. Moorehead indicated that the numbers in the Year-to-Date report do not reflect an adjustment in the January rates for the funds not carried over in the State's surplus for the prior year's budget. He added the report does include the number under Bed Tax, thus an adjustment will result in the MQIP amount being lower and the Room & Board being higher by the same amount. It was a Medicaid rate adjustment so it should have been included in Room & Board, not MQIP. He added that he will provide the Board with a revised report later in the week.

Mr. Moorehead explained that a ProShare payment will arrive shortly and there is one more MQIP payment in fiscal year 2015. He added that the MQIP tax will be significant; it is 5 ½ percent 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. OLD/NEW BUSINESS

NACO Prescription Drug & Dental Programs

Ms. Robinson explained that she provided the Board with information relative to NACO's Health, Prescription and Drug plans in the Board's packet. She explained that NACO had replaced the providers for the Dental program and the Health program while the Prescription Drug plan remains the same. She added that Board approval is required for participation in the 2 new plans.

Motion:

To move forward with participation in the Dental Discount program and the new Health program.
Motion by Comm. Holden, second by Comm. Pappas.

Mr. Wenger asked for clarification relative to the Board's action; he noted that there are 3 plans for consideration and there is a marketing reimbursement fee and the County should decide how it wants to participate. There are 2 options; one includes a \$1 reimbursement for each prescription, which would impact the cost to the individual participants.

Comm. Holden noted that the County has not taken the \$1 reimbursement fee in the past; that fee has been passed on to the citizens. Comm. Holden suggested that the Board take the issue under advisement until a later meeting; the other Commissioners agreed.

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

The Board determined that it will review the plans and address them again at its next meeting.

Reimbursement – Line 7170 – T. Pappas

Comm. Pappas requested reimbursement for the NACO Annual Conference Registration. In response to a question, Comm. Pappas explained that the cost was \$490. Mr. Wenger noted that the Education & Conference line has \$1,034 remaining in the line and the funds can be taken from that line.

Motion:

To approve Comm. Pappas' request for reimbursement for the NACO Annual Conference Registration.
Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Registry of Deeds – Postage Machine & Meter

L. Gero presented Bid #2016-02. In response to a question, she explained that Pitney Bowes offered the lowest bid and noted that the 5-year lease is the lowest. The Board reviewed the bid document and offered the following motion:

Motion:

To accept the bid offered by Pitney Bowes for a 5-year lease at a cost of \$3,756 per year, noting it is the lowest responsible bidder per State statute RSA 28:8-e with the understanding of the condition upon the availability of sufficient funding through the County's budget process. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

The Board addressed its schedule. Its next meeting is scheduled for June 24th and another meeting is scheduled for July 8th. Mr. Wenger noted that the expectation is that he will be able to request that the Board to implement the budget effective July 1st. Additionally, the July 8th meeting will be the final meeting for approving Transfers.

Mrs. Castonguay noted that she tentatively expects the Executive Committee to meet Friday, July 17th. She added that the Public Hearing and the Executive Committee meeting are scheduled for Monday, June 22nd, starting at 10:00 a.m. The Delegation meeting is scheduled for Tuesday, June 23rd at 6:00 p.m. following a 5:00 p.m. BBQ.

The Board discussed how it would address its concerns at the Executive Committee's Public Hearing. The Commissioners agreed that the Board's major concerns relate to:

- the Executive Committee's recommendation to not use Surplus to balance the budget that could result in an 8% increase in the amount to be raised by taxes

- a potential motion by a Representative to include funding for a Manchester Drug Court in the FY 16 budget.
- the budget process as a whole, particularly in reference to how a Manchester Drug Court was being proposed and the Commissioners had no part of the process.

It was noted that the Mayor of Manchester opposed using Surplus from the City's budget for a Manchester Drug Court; however, he favors having the County use its Surplus. Discussion ensued. Mrs. Castonguay noted that Rep. Burt wants to present a motion to the Delegation to approve the use of County funds for the Manchester Drug Court. It was noted that if the Drug Court funding is approved and the Union Contracts are approved, there would be an approximate 10% increase in the amount to be raised by taxes because of the Executive Committee's decision to use no Surplus funds to balance the budget. The Board and County Administrator discussed ramifications if funding for the Drug Court is added to the County's budget as it now stands. Comm. Ziehm added that it is her belief, based on discussions she has held with Representatives that many of the Representatives do not fully understand the issues and ramifications related to the proposed use of Surplus and the proposed Drug Court. In response to a question from Comm. Ziehm relative to management of the Courts, Attorney Kirby explained that it is her understanding that the State Administrative Office of the Courts is responsible for managing the Court system and all the programs thereunder.

Comm. Pappas inquired about a former Drug program that was run by the County. Ms. Robinson explained that the County, under the Human Services Department, had a Family Intervention program and a Drug & Alcohol program with case managers to run the programs that included a LADC (licensed Drug & Alcohol Counselor). The programs included drug screening and education and worked with individuals before they went to Jail; the intent was to keep them out of jail. The programs were eliminated in the County's FY 2012 budget. She added that the County would never spend a half million dollars on any program, such as a Drug Court, without thoroughly vetting the proposed program.

Ms. Robinson informed the Board that she and Mr. Moorehead, along with Bob Dunn and John Poirier from the private Nursing Homes met separately with Representatives Kurk, Rep. Barry and the Speaker of the House, Rep. Jasper. Discussion focused on MQIP and the MQIP diversion of 25% which negatively affects the County's revenue as well as the Cap calculations and the bed moratorium. She noted that it appears that the Certificate of Need (CON) Board that determines the need for Nursing Home beds is going to be eliminated; she added that there has been a moratorium on new Nursing Home beds since 1995 and explained that it is her belief that the moratorium should continue because if there are a lot of available beds, residents from other States would find the NH Nursing Homes attractive because of the high ratings, which in turn could add to the Counties' costs once the residents have spent down their assets and go on Medicaid. She observed that the meeting with Rep. Kurk was successful; he understands all the issues, but he may not agree with the bed moratorium. She noted that the meeting with Rep. Jasper went very well, he understands all the issues and indicated his support for the moratorium.

Mr. Moorehead noted that he discovered at the MCO meeting that 65.1% of all beds in the State, on average, are Medicaid beds, 28.8% are private pay/other, and 14.1% are Medicare beds. He added that approximately 75% of the Hillsborough County's Nursing Home beds are Medicaid beds. He explained that a couple years ago, the CON lapsed for a period of time and there was a window of opportunity when facilities could get additional beds; during that time Northeast Rehab developed its Rehab beds at Elliot Hospital; those rehab beds opened in February of this year. He noted that the addition of rehab beds at Elliot Hospital has negatively affected the census at our facility and other area nursing homes.

Mr. Moorehead added that Commissioner Toumpas has indicated that the State favors having MQIP and ProShare continue and that there should be no issue with ProShare being part of the rates. Mr. Moorehead indicated that he

attended a presentation made by J. McCosh at a recent MCO meeting (Managed Care Organization) related to Medicaid managed care issues; he noted that Mr. McCosh's presentation indicated that it is unclear how MCO's could logistically manage MQIP and ProShare payments because of the 10-day time frame when the information is required and the payment is made. He noted that it is unclear how the 2 rates can be blended and not have a differential between the private and the County homes.

Mr. Moorehead noted that at the recent Affiliate meeting, it was noted that 3 County Homes have Assisted Living facilities: they are Merrimack County, Rockingham County and Cheshire County; they are having difficulty because of a change in the Federal regulations: the Feds will not pay Medicaid in an Assisted Living facility that is built on the campus of a Nursing Home.

7. PUBLIC COMMENT

There was no one from the Public who wished to comment.

8. NON-PUBLIC SESSION

There were no requests for Non-Public Session.

9. ADJOURN

Motion:

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

The meeting adjourned at 10:37 a.m.

Approved on June 24, 2015

Comm. Toni Pappas, Clerk
Hillsborough County Board of Commissioners

Date