

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**June 21, 2016**  
Bouchard Building, Goffstown, NH  
**Minutes of the Public Session**  
(Not Official until Approved by the Board and signed by the Clerk.)

**Present:** Comm. Ziehm, Comm. Pappas, Comm. Rowe, P. Coughlin, D. Hogan, D. Dionne, G. Fisher, L. Gero, C. Kirby, M. Montminy, B. Moorehead, D. Reidy, G. Wenger, M. Castonguay, and L. Stonner.

**CALL TO ORDER**

Comm. Ziehm called the meeting to order at 9:04 a.m.

Those present recited the Pledge of Allegiance.

**ADMINISTRATIVE BUSINESS**

**Approval of Minutes**

**Motion:**

To approve the minutes of the Board of Commissioner's Regular Meeting held on June 8, 2016.  
Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Mr. Wenger informed the Board that that the total Accounts Payable figure approved at the June 8<sup>th</sup> meeting had been reported inaccurately. He requested the Board consider a motion to rescind the approval of the Accounts Payable presented at the June 8<sup>th</sup> meeting and address a new motion to approve the corrected Accounts Payable registers. The following motions were offered:

**Motion:**

To rescind the motion for the Accounts Payable registers approved at the June 8<sup>th</sup> Board Meeting  
Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

**Motion:**

To approve corrected Accounts Payable Registers on the following dates in the following amounts:  
May 26, 2016 \$ 1,349.00  
May 7, 2016 \$5,071,129.80  
The total Accounts Payable is \$5,072,478.80, subject to review and audit.  
Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

**Supplemental Payroll**

**Motion:**

To approve the Supplemental Payroll registers for the following dates in the following amounts:  
06/10/16 \$4,870.51  
06/13/16 \$3,525.60  
06/15/16 \$6,505.65  
06/16/16 \$1,416.83  
The total Supplemental Payroll is \$16,318.59, subject to review and audit.  
Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

## **Regular Payroll**

### **Motion:**

To approve a Regular Payroll Register dated June 16, 2016 for the amount of \$1,133,166.01, subject to review and audit.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

## **Accounts Payable**

### **Motion:**

To approve an Accounts Payable Register dated June 20, 2016 in the amount of \$3,678,563.96, subject to review and audit.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

## **Transfer # 2016-25 – County Attorney**

### **Motion:**

To approve Transfer # 2016-25 for the County Attorney's Office to transfer the amount of \$10,000 from Salaries & Wages, line 4123-7010 and to transfer \$5,000 from Social Security, line 4123-7100, and to transfer \$5,000 from Worker's Comp/Liability, line 4123-7140, and then to transfer the amount of \$20,000 to Medical Referee, line 4192-7250.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Attorney Hogan noted that the transfer is needed due to outstanding invoices in the Medical Referee line and not having enough money in this line to pay the expense.

## **Transfer # 2016-26 – County Attorney**

### **Motion:**

To approve Transfer # 2016-26 for the County Attorney's Office to transfer the amount of \$3,000 from Dues & Periodicals, line 4123-7370 and to transfer a like amount to Other Fees & Services, line 4123-7290.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Attorney Hogan noted that this transfer is needed due to unanticipated expenses in the line and gave an example of a trial with expenses that exceeded \$1,500.

## **Transfer # 2016-27 – Misc. Departments**

### **Motion:**

To approve Transfer # 2016-27 to transfer the following amounts from the following lines:

- \$2,201 from Deeds-Salaries & Wages, line 4193-7010
- \$3,257 from County Attorney-Salary & Wages, line 4123-7010
- \$2,424 from Sheriff-Salary & Wages, line 4211-7010

and then to transfer to the following lines:

- the amount of \$2,201 to Deeds, Elected Officials Wages, line 4193-7020,
- the amount of \$3,257 to County Attorney Elected Officials Wages, line 4123-7020.
- the amount of \$2,424 to Sheriff-Elected Officials Wages, line 4211-7020.

The total amount of the transfer is \$7,882.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Mr. Wenger noted that the aforementioned transfer is necessary to fund payment of the final FY 2016 payroll so that the Elected Officials receive their wages during their term; he noted that this was primarily due to the timing of the pay periods.

#### **Transfer # 2016-28 – Registry of Deeds**

##### **Motion:**

To approve Transfer # 2016-28 for the Registry of Deeds to transfer the amount of \$500 from Travel Out-of-State, line 4193-7710, and to transfer a like amount to Office Supplies, line 4193-7360.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Comm. Pappas noted that the transfer is necessary due to unanticipated expenses.

#### **Transfer # FY 2016-29 – Nursing Home**

##### **Motion:**

To approve Transfer # 2016-29 for the Nursing Home to transfer the amount of \$5,000 from Nursing Administration-Worker's Comp/Liability, line 4411-7140 and to transfer a like amount to Administration-Bed Assessment, line 4411-7299.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Mr. Moorehead noted that the Nursing Home will not have the exact amount of the Bed Tax until after the month of June has closed; he added that revenue is running slightly higher than budgeted and this transfer will make certain that there are adequate funds in the related line.

#### **CIS Bid # 19-2016 - SQL Servers and Software Licensing.**

##### **Motion:**

To approve CIS Bid # 19-2016 for SQL Servers and Software Licensing and to award the bid to Insight Public Sector, Tempe, AZ, the lowest responsible bidder meeting the specifications. The price is \$15,095.86.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Mr. Wenger explained that CIS Bid # 19-2016 was budgeted and is for SQL Servers and Software Licensing that primarily support the County Attorney's new software program.

#### **PUBLIC COMMENT ON AGENDA ITEMS**

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

#### **DEPARTMENT OF CORRECTIONS**

##### **Census**

Supt. Dionne presented the Department of Correction's (DOC's) Census; he noted that as of June 14, 2016, the total in custody was 495, which included 16 in the community. The Census included 392 men; 117 of the men had been sentenced and 275 were being held pre-trial. There were 103 women; 37 of the women had been sentenced and 66 were being held pre-trial. Supt. Dionne noted that the Department of Corrections was holding 32 female inmates from Rockingham County. He informed the Board that 159 individuals were diverted through the Mental Health Courts including 89 from Manchester and 70 from Nashua.

## **Overtime Impact Report**

Supt. Dionne noted that the DOC's Overtime Impact Report for the current Fiscal Year is included in the Board's packet. He explained that the DOC has 16 vacancies. There will be 6 who will graduate from the Correctional Officer Academy the follow Friday, and the DOC is planning to start another Academy within 1-2 weeks with the hope of gaining another 10 graduates. He invited the Commissioners to attend the graduation.

### **Bid # FY16-118 – Chiller # 1 Repairs**

#### **Motion:**

To approve Bid # FY16-118 for repairs to Chiller # 1 at the DOC; the lowest responsible bidder meeting the specifications is Johnson Controls, Manchester, NH at the price of \$11,558.43; there is a request to waive competitive bidding consistent with RSA 28:8-e, V because the vendor is the current service provider and manufacturer of this equipment.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

In response to a question from Comm. Ziehm, Supt. Dionne explained that every year when the units are turned on, repairs typically run from \$5,000 to \$10,000. The units are 5 years old; they are used 24/7 in the summer and it is important to maintain a temperature between 69-71 degrees to avoid inmate issues.

### **Bid # FY16-119 – Chiller # 2 Repairs**

#### **Motion:**

To approve Bid # FY16-119 for repairs to Chiller # 2 at the DOC; the lowest responsible bidder meeting the specifications is Johnson Controls, Manchester, NH at the price of \$6,842.18; there is a request to waive competitive bidding consistent with RSA 28:8-e, V because the vendor is the current service provider and manufacturer of this equipment.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

## **NURSING HOME**

### **Census**

Mr. Moorehead provided Census information for the Nursing Home. He noted that the Census, as of June 23<sup>rd</sup> was 285; it included 209 Medicaid residents, 36 private pay residents and 40 Medicare, Part A residents. He added that the numbers and the quality mix continue to be strong.

### **May Revenue**

Mr. Moorehead presented the unaudited Revenue for May, 2016. He explained that the budgeted Revenue for Room & Board and ancillaries for May is \$1,978,031 while the actual is \$2,051,950, a positive variance of \$73,919 for the month.

### **Year to Date Revenue**

Mr. Moorehead noted that the unaudited year-to-date budgeted Revenue through May for Room & Board and ancillaries was \$21,758,341 while the actual was \$21,786,262, a positive variance of \$27,921. He added that the MQIP/Bed Tax budget for the 11-month period was \$2,512,500 while the actual revenue for three quarters was \$2,568,798, a positive variance of \$56,295. He noted that the total of all revenues received to date represents a positive variance of \$84,216.

Discussion ensued regarding the room rates at the Nursing Home. Mr. Moorehead noted that all the costs, including those that are passed down from the State, run between \$245 to \$250/day. He added that when factoring in the AFSCME agreement, the rates will increase by approximately \$10/day.

## **OLD/NEW BUSINESS**

### **Request for Use of County Land – Trapping Permit**

Mr. Wenger noted that Mr. Gauthier has once again submitted his annual request for the approval of a permit to trap beaver on County property along the Piscataquog River. Following discussion, the following motion was presented:

#### **Motion:**

To approve the request of Richard H. Gauthier of Goffstown, NH to trap beaver, and to authorize the Chair to sign the Permit to Trap.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Discussion ensued relative to the trapping and its potential benefit to the County. Comm. Rowe asked whether any domestic animals or individuals have been caught in the traps. Mr. Wenger noted that he is not aware of anything of that nature. He noted that once approved at the County level, Mr. Gauthier has to go to the State for approval of the permit.

### **Request for Use of County Land**

Mr. Wenger noted that he has received a request from the Goffstown Fire Department to store 2 historic fire vehicles while renovation is going on at its facility. He added that the vehicles will be stored in the back of the Pole Barn. Goffstown Fire Department has provided evidence of insurance. He noted that Executive Committee approval is also required.

#### **Motion:**

To approve the request of the Goffstown Fire Department to store 2 historic vehicles on County property.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

### **Registry of Deeds Proclamation**

Register Coughlin requested that the Board sign a proclamation for Brenda Lafleur who is retiring from the Registry of Deeds after 32 years of service. The proclamation read:

**A PROCLAMATION TO CONGRATULATE BRENDA LAFLEUR  
UPON HER RETIREMENT FROM THE  
HILLSBOROUGH COUNTY REGISTRY OF DEEDS**

*WHEREAS, Office Manager, Brenda Lafleur has announced her retirement from the Hillsborough County Registry of Deeds where she began her career with the Hillsborough County on June 18, 1984; and*

*WHEREAS, Brenda Lafleur has worked effectively, courteously and responsively throughout her years of service. She is an employee dedicated to providing quality support services for the Hillsborough County Registry of Deeds; and*

*WHEREAS, Brenda Lafleur has worked effectively with hundreds of public members; and*

*WHEREAS, Brenda Lafleur over the years has worked effectively with many staff members; and*

*PROCLAIMED by the Hillsborough County Board of Commissioners this day July 1, 2016, that Brenda Lafleur be, and is hereby, congratulated on her retirement after 32 years of service to the Hillsborough County Registry of Deeds; and, be it*

*PROCLAIMED FURTHER, that Brenda Lafleur's love and enthusiasm for her work may serve as an example to all who serve the Hillsborough County community.*

**Motion:**

To accept and execute the proclamation submitted by Register Coughlin.  
Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Commissioners Ziehm, Pappas and Rowe executed the proclamation and expressed gratitude to Ms. Lafleur for her dedicated service to the County and the Registry of Deeds.

Mr. Wenger noted that Comm. Ziehm and others received a communication relative to Medicaid and how it relates to inmates. He added that discussions with Comm. Meyers are ongoing looking at changing coverage for inmates so that their Medicaid is suspended rather than terminated while incarcerated. Supt. Dionne indicated that the change would not impact the DOC; he noted, however, that inmate's Medicaid stops when they are incarcerated so when they are released, they don't have coverage until it is re-instated, which typically takes 30 to 45 days, therefore, when released, they aren't able to get their medications or receive the necessary mental health treatment and that period is frequently when they recidivate and end up back in the jail. He added that with the proposed change, the inmate's Medicaid could be re-instated so that treatment and medications are available within a day or two of their release.

Supt. Dionne added that if an inmate is hospitalized for more than 24 hours the inmate has an option to sign a release that allows for his/her coverage to pick up the charges, but if the inmate refuses to sign, then the expense is the responsibility of the DOC and the County. He noted that there was an occasion when an inmate refused to sign the release and it cost the County approximately \$25,000. He added that Rep. Snow has submitted a bill that would change that so that the County would not be liable in those situations.

Mr. Wenger noted that following further analysis of the current year budget and with the passage of additional time, he has revised his projection and now anticipates that the General Fund Surplus will have an additional 2.7 million dollars of surplus for the coming year due to last year's adjustments made by the Auditors and encumbrances. He estimates that the General Fund Surplus will be in the range of 5.2 and 7 million dollars.

Mr. Wenger added that he does not anticipate a significant surplus in the Nursing Home fund in the current year and noted that the proposed budget includes 1.1 million dollars moved to a Capital Reserve Account dedicated to renovations at the Nursing Home, reducing the Nursing Home budget. It was noted that there are many unknowns regarding Managed Care and how it will affect the Nursing Home.

Mr. Wenger noted that Supt. Dionne, Comm. Pappas and he had the opportunity to join a group meeting relative to the Transformation Waiver 1115 for Region 4, the Manchester region. He noted that there are approximately 36 entities involved in the group and observed that the work to be done is daunting. The group appears to be a cohesive group. It is his understanding that by June 30<sup>th</sup>, the State will designate the lead agency in each region. He added that the group was asked to share information and to provide recommendations to the group that would help in identifying projects. He noted that in Hillsborough County, the focus will be on the needs of the DOC and Nursing Home, particularly in relation to opioid and behavioral health issues. Supt. Dionne noted that

it is his belief that the SATCO program would qualify; however, there will not be a significant amount of available funds because so many entities are involved and because of the number of years it will run.

Supt. Dionne noted that he is still trying to fully understand the details of SB 464 and how the grants will be distributed, what programs will be eligible for funding and whether the grants will be available for Drug Courts, the SATCO program, and Felonies First.

Following discussion, the Board appointed Mr. Wenger as the County's representative to the Region 4 Partnership Team.

**Motion:**

To appoint Mr. Wenger as the County's representative for the Region 4 Transformation Waiver 1115 group meetings.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Mr. Wenger distributed a handout illustrating the breakdown of the dues for the New Hampshire Association of Counties (NHAC). He noted that there was a motion to set up a committee including a representative from a large, middle, and small County to review the dues structure. Discussion ensued relative to the value of membership in the Association and whether Hillsborough County shares equally in the benefits.

There was discussion related to Strafford County's Hospice House. In response to a question from Comm. Ziehm relative to hospice care, Mr. Moorehead noted that Strafford County has a Hospice Care Unit apart from its Nursing Home that provides hospice services to patients. Mr. Moorehead noted that Strafford County took 20 beds from its Nursing Home and dedicated them to its hospice program, and if the same thing were to be approved in Hillsborough County in a hospice facility apart from the Nursing Home, the number of Nursing Home beds would have to be reduced by the number of approved hospice beds.

Comm. Ziehm offered that consideration could be given to using one of the County's buildings for programs that would benefit the County's residents.

Comm. Ziehm noted that she received a call from Judge Nadeau and the discussion primarily focused on Felonies First. She asked Attorney Hogan if he had been involved in any meetings regarding the program and he responded that at this point, he has not. He noted that Attorney K. Smith, of his office, is the Attorney who is focusing on the program and added that there is considerable concern about the increase in the work flow.

Supt. Dionne noted that he has not been included in any meetings related to Felonies First.

Rep. Rowe noted that it was set up by law that the Superior Court would schedule the introductions to Felonies First in Counties; it started in January in Cheshire and Strafford Counties which in turn are moving forward. He added that Belknap will start in July and noted that in dealing with Judge Nadeau and the involved Counties, it is his understanding that the initial phase will involve the County Attorneys working with Judge Nadeau and with all the local police departments relative to how it will work so that they all understand the process. He added that it is his understanding that the biggest challenge will be designating a County Attorney to work with the Courts.

Supt. Dionne noted that the jail deals with the individual first and it is unclear what process will be followed and where the felonies will be handled. He added that video arraignments have worked successfully, but he is unsure how it will work going forward and how it will affect scheduling.

Attorney Hogan noted that all cases will go to the County Attorney's office first, which in turn, will create extra work and extra staffing requirements and it is difficult to determine how many staff will be required; he anticipates having five staff dedicated to the program.

Comm. Rowe noted that the County will have a better idea by July of how Belknap County is going to coordinate the program and after that; the County should have a sense of when it should start its program. He added that he does not know how long it will take for the County Attorney's office, the Police Departments and the jail to coordinate the details of the program and the manpower it will take.

Mr. Wenger noted that it may be wise to start discussion now with the Police Departments, the DOC and the County Attorney's office.

Supt. Dionne noted that Hillsborough County is unique in that it has 2 Superior Courts and while a small County may see 1 or 2 felonies a day, Hillsborough County is likely to have 22 a day in Manchester and 20 in Nashua on the same day and added that it is impossible to compare Hillsborough County with a small County. There was a feeling that the County should get involved in preparing for the program now so that it can understand how the involved departments will work together and so that the County can be eligible for grant funding and ready for Felonies First. Mr. Wenger noted that the Board will have a better idea how to proceed once the Delegation's expectations are made clear relative to the SATCO and Drug Court programs.

It was noted that the Executive Committee's Public Hearing is scheduled for 6:00 p.m. this evening; the Executive Committee meets the following day at 9:00 a.m. and the Delegation Meeting is scheduled for Thursday at 6:00 p.m. following the annual BBQ.

### **NON-PUBLIC SESSION**

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

County Attorney Hogan had earlier requested that the following item be added to the Agenda:

- RSA 91-A:3 II (a) County Attorney – Appointment of Assistant County Attorney

Attorney Kirby requested an opportunity to meet relative to a consultation with Counsel along with Attorney Hogan and Supt. Dionne.

#### **Motion:**

To move into Non-Public Session consistent with RSA 91-A:3 II (a), compensation of an employee, and to meet consistent with RSA 91-A:3 II (a) relative to the hiring of an employee.

Motion by Comm. Pappas, second by Comm. Rowe. Ziehm-yes, Pappas-yes, Rowe-yes. Motion carried.

The Board moved into Non-Public Session at 10:14 a.m.

The Board met with Mr. Wenger who informed the Board regarding a claim presented to the NHRS. A discussion followed and no action was taken at that time.

The Board met with Attorney Hogan regarding the hiring of an Assistant County Attorney and no action was taken at that time.

The Board came out of Non-Public Session at 11:14 a.m.

#### **Motion:**

To come out of Non-Public Session.

Motion by Comm. Pappas, second by Comm. Rowe. Ziehm-yes, Pappas-yes, Rowe-yes. Motion carried.

**Motion:**

To move into Recess consistent with RSA 91-A:2 I (b), consultation with Counsel.

Motion by Comm. Pappas, second by Comm. Rowe. Ziehm-yes, Pappas-yes, Rowe-yes. Motion carried.

The Board moved out of Recess at 11:40 a.m.

**Motion:**

To waive the 3-year statute of limitations on a NH Retirement System Claim.

Motion by Comm. Pappas, second by Comm. Rowe.

Comm. Ziehm noted that she wished to go on record as not supporting the motion because of the related cost that could be passed on to the taxpayer, adding that the cost could continue for some time.

Motion carried with Commissioners Pappas and Rowe voting in favor of the motion and Comm. Ziehm voting against the motion.

**Motion:**

To approve the hiring of a new Assistant County Attorney as presented by County Attorney Hogan.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Mr. Wenger informed the Board regarding a request forwarded by Rep. Kurk to Rep. Hinch requesting information regarding the proposed Capital Reserve Fund for the Complex Buildings. He noted that working with C. Norwood, a response had been provided and was available for the budget meeting that week.

**ADJOURN**

There being no further business to come before the Board, a motion to adjourn was entertained.

**Motion:**

To adjourn the meeting.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

The Board of Commissioners Meeting adjourned.

*Approved July 13, 2016*

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Comm. Toni Pappas, Clerk  
Hillsborough County Board of Commissioners

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Date