

Regular Meeting of the
Hillsborough County Board of Commissioners

June 25, 2007
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. T. Pappas, Comm. C. Holden, Comm. M. Clemons, M. Wageling, G. Wenger, B. Moorehead, J. O'Mara, M. Rusch, R. Mercer, J. MacDonald, S. Cohen, and E. Robinson.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 1:05 P.M. J. O'Mara led those present in the Pledge to the Flag.

2. Sheriff' Office

The Board proceeded to the next item on the agenda.

3. Business Office

Approval of Payroll Register

Motion: To approve the Payroll Register dated 6/14/2007 in the amount of \$1,067,489.40 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Approval of Accounts Payable Register

Motion: To approve the Accounts Payable Register dated 6/22/2007 in the amount of \$141,801.82 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Extraditions

The Board considered the Sheriff's extradition vouchers presented for approval.

Motion: To approve Extradition Vouchers dated from 3/1/2007 to 5/10/2007, the total amount is \$3,624.48;

3/01/2770 in the amount of \$447.68,
3/02/2007 in the amount of \$1,056.37,
4/23/2007 in the amount of \$342.24,
4/23/2007 in the amount of \$34.92,
4/26/2007 in the amount of \$1,248.69,
4/26/2007 in the amount of \$67.90,
4/26/2007 in the amount of \$88.76,
4/27/2007 in the amount of \$63.05,
5/02/2007 in the amount of \$32.98,
5/10/2007 in the amount of \$45.59, and
5/10/2007 in the amount of \$196.30

for total extradition vouchers of \$3,624.48, noting they have been approved by the County Attorney. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Telephone Poll

Motion: To approve the Telephone Poll conducted on June 14, 2007 to approve the change of a PT Unit Coordinator position, #12953, from part-time to full-time at the Nursing Home noting that the motion passed

unanimously with all three Commissioners participating. By Comm. Holden, second by Comm. Clemons.

Comm. Holden expressed her dismay that the matter could not have been handled at the Board's prior meeting. Mr. Moorhead explained that the individual had indicated she would be leaving without benefits and the spike in the skilled census, which shows no indication of declining, drove the need to move the position to full-time expeditiously.

Motion carried unanimously.

Motion: To approve the Telephone Poll to authorize the Chairman to execute the Interlocal Agreement between the Cities of Nashua, Manchester, and the Towns of Hudson and Milford, NH and the County of Hillsborough, NH 2007 Byrne Justice Assistance Grant (JAG) Program Award on behalf of the Board for the Sheriff's Office. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Bid # CIS-7-2007 – FY07 Technical Training

Motion: To approve bid #CIS-7-2007, Technical Training to New Herizons, 460 Amherst Street, Nashua, NH at \$1,750 for one five-day class unit price for the total of \$3,500, two classes over 10 days, noting this is the State vendor. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Bid #CIS-2-2008 – Munis – Financial Software Annual Support

Motion: To approve bid #CIS-2-2008, for Munis Financial Software Annual Support to be awarded to Tyler Technologies of Dallas, TX, the unit price is \$41,171.92 noting that this is a single source bid for annual contractual support, RSA 28:8-e V. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

Transfer 2007-27 – Complex Health & Accident to Salaries

Motion: To approve transfer from 4198-7120, Health and Accident, to 4198-7010, Salaries & Wages the amount of \$600. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

The Board returned to agenda item number 2, Sheriff's Office, Task Force Overview to discuss the project with the Sheriff and Attorney General Kelly A. Ayotte. On behalf of the Board, Comm. Pappas welcomed Sheriff Hardy and the Attorney General. General Ayotte introduced Attorney Young of her Criminal Bureau.

Attorney General Ayotte provided the Board with an overview of the High Intensity Drug Trafficking Team of investigators who are focused primarily on activities in Hillsborough County. She explained that the Task Force itself is a drug investigation team that identifies the most intense drug trafficking areas that are worthy of a HIDT designation. She stated that the only county in New Hampshire that has the designation is Hillsborough County due to the level of drug activity identified as well as the intensity of that activity. She indicated that there are a number of entities involved in the Task Force including her office, ICE, ATF, State Police, Manchester Police Department, and Nashua Police Departments. She stated that she was before the Board to discuss the value of the Hillsborough County Sheriff's Department becoming a partner in the Task Force. She went on to explain some of the efforts and successes that the Task Force has experienced noting that it has been a very successful effort. She thanked the Sheriff for his interest in becoming a partner in this project and for the many areas of law enforcement that he and his office have been partners in.

Sherriff Hardy was recognized. He elaborated on the demographics of Hillsborough County and the problems that are associated with that. He explained that he would be looking to assign a detective to the Task Force noting that there are funds that will come back to the County to offset some, not all, of the expense associated with participation in the project. He explained that there would be \$25,000 coming back to the County to offset

some of the expenses. He explained that the County would enter into an MOU with the Attorney General's Drug Task Force to assign the detective to the unit. He noted that in addition to the drug offenses there are numerous property related crimes that occur due to the drug activity. He also referenced the protocols and oversight that are in place including an advisory board that oversees the operations. He expressed that he was pleased that his office had been approached by DEA and the Attorney General to participate.

Comm. Holden inquired if the available funds, \$25,000, are a one-time event or if they would be recurring annually. Sheriff Hardy noted that the funding had been anticipated in development of the recently approved budget and that it is a twelve-month commitment that can be revisited. A discussion followed regarding the funding, annual review, and the oversight of the project. Comm. Clemons inquired how the Sheriff anticipated filling the position. Sheriff Hardy stated that he would be looking for interested parties but that he would be responsible for making the assignment. He also indicated that any property forfeitures made because of the Task Force work would be divided equally among the participating agencies.

Attorney General Ayotte and Sheriff Hardy expressed their thanks to the Board for its consideration. Sheriff Hardy informed the Board that no action was requested at that time and that a MOU for execution would be presented for consideration and execution at a future meeting. The Attorney General and Sheriff excused themselves from the meeting at that time.

4. Nursing Home

Census

B. Moorehead was recognized. He advised the Board that the census at the facility as of June 21, 2007 was 282, with 216 Medicaid, 33 Private Pay, and 33 Medicare part A. He noted that the mix continued to be significantly over the budget projections.

May 2007 Revenue

B. Moorehead advised the Board that the facility revenue for the month of May was \$1,619,478 compared to a budget of \$1,429,209, which was a positive variance of \$190,269.

Accounts Receivable – Write-Offs Request

B. Moorehead requested that the Board consider write-offs going back to 1999 through 2006 in the amount of \$169,431.13. He explained that the Auditors have been writing-off approximately \$200,000 per year for the past several years.

Motion: To authorize the Nursing Home Business Office to write-off for the period back to 1999 the amount of \$169,431.13. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

PHD Communications (Voice mail) – Emergency Purchase

B. Moorehead explained to the Board that the voice mail system at the Nursing Home had recently failed and that in light of its importance to the facility and the safety related concerns raised by the absence of a system he had authorized the purchase as an emergency consistent with NH RSA 28:8-e IX. He explained that without the system, pages and messages from physicians and doctors could be lost or missed raising a health and safety concern. He requested the Board confirm the purchase from PHD Communications of Manchester, NH, a sole source provider.

Motion: To approve bid #38-2007, Voice-Mail System to PHD Communications of Manchester, NH in the amount of \$2,200 noting that it was a sole source provider and that the purchase was made consistent with NH RSA 28:8-e IX. By Comm. Holden, second by Comm. Clemons.

Comm. Pappas inquired if this purchase would integrate with the new phone system the County is looking to purchase. G. Wenger advised the Board that it would not. He informed the Board that with the recent approval of funding for the phone system work had begun to procure a new system with a projected implementation date in October. He noted that the purchase in question most likely would not be incorporated but that they would look into selling or exchanging the system that was purchased.

Motion carried unanimously.

5. Department of Corrections

Census

J. O'Mara was recognized. He informed the Board that the census at the facility on June 21st was 532. He noted that 476 were men, of which 159 are sentenced and 317 were being held pre-trial. He noted that on the women's side of the house, 16 are sentenced, and 40 were pre-trial for a total of 56 female inmates.

County Complex Bid #FY07-75 – Fence Around Old Reservoir

Mr. O'Mara, with the Board's consent withdrew the request to approve the bid noting that he would seek approval at a latter time.

County Complex Bid# FY07-76 – Open, Clean, & Inspect 2 Complex Boilers

Mr. O'Mara explained that the request addressed the opening, cleaning, and inspecting of the two boilers serving the County Complex. He indicated that the lowest bidder meeting the specifications was JS Heating Services of Rochester, NH and recommended that the bid be awarded to this bidder.

Motion: To approve bid #FY07-76, to open, clean, and inspect the two Complex boilers the bid to be awarded to JS Heating Services of Rochester, NH in the amount of \$2,100, the lowest responsible bidder and the regular service provider. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

County Corrections Bid #FY07-77 – Bread Making Equipment

Mr. O'Mara explained that the items before the Board included a proofer, divider and slicer which are all bread making equipment. He noted that the lowest bidder meeting the specifications was Federal Supply Co., of Waukegan, IL in the amount of \$6,604.65. He recommended award of the bid.

Motion: To approve Bid #FY-7-77, the item is Bread Making Equipment, Proofer, Divider, and Slicer, Federal Supply Co., 116 Washington Street, Waukegan, IL for a total amount of \$6,604.65 the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

Mr. O'Mara requested to meet with the Board in non-public session under RSA 91-A:3 II(b), hiring of a public employee.

6. Registry of Deeds

Bid #2007-01 – Book Repair

J. MacDonald was recognized. She explained to the Board that she was seeking approval for the expenditure of \$8,000 for the repair of six books at the Registry. She explained that Joseph J. Marotti Co., Inc. has served the Registry for a number of years and continues to work with her office while the other potential vendor no longer

provides services in New Hampshire due to the low volume of work. She requested the Board waive competitive bidding pursuant to RSA 28:8-e.

Motion: To move that competitive bidding be waived pursuant to RSA 28:8-e, the recommended vendor has been serving the County for ten years and the remaining vendor does not make calls in NH and to approve Bid #FY 2007-01 to Joseph J. Marotti Co., Inc., 335 Westford Road, Milton, VT, the total amount is \$8,000 By Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

J. MacDonald updated the Board on the Registry's revenues and projected that it will reach approximately \$5,000,000 by the end of the fiscal year.

Delegation

M. Rusch was recognized. She advised the Board that the next Executive Committee meeting is Friday July 20th, which will be followed by the annual cookout.

County Attorney

M. Wageling, Esq., was recognized. She informed the Board that she would be coming before it to present her Re-Entry Project at a future meeting. The Board agreed that it would consider the matter at its next meeting.

7. Old/New Business

Energy Star Change a Light Campaign

Comm. Holden advised the Board that she had completed the County's registration for the program. She provided information regarding the program for the Board's consideration noting the pledge collection is from July 1st through September 13th for County employees and October 3rd through November 30th for County residents.

Cooperative Extension – Prison 4-H Program (update)

S. Cohen of the Cooperative Extension was recognized. She explained that working with the NH Women's State Prison a pilot program for gardening is starting and as part of the security for the program it will be necessary for the children to be brought to the facility by their caregivers and the caregivers will be required to remain close to the facility. To facilitate this a request it being made to use the County's facility so that a caregiver support program can be run in conjunction with the gardening program. She stated that she along with another educator would be running the group for approximately two hours on Sunday afternoons July 8, August 5, September 16, and October 14. As the program is in development, she could not determine the number of participants at this time but anticipates 5 to 10.

Motion: To allow the 4-H and Family and Consumer Resources department of the Hillsborough County Extension UNH Service to use its conference room for the Prison 4-H Program from this point forward. By Comm. Clemons, second by Comm. Holden.

Comm. Holden inquired of J. O'Mara regarding any concerns that he may have. He noted that at that time he did not foresee any concerns. Comm. Clemons informed the Board that the program had been discussed thoroughly at the Advisory Board.

Motion carried unanimously.

Human Services

Ellen-Ann Robinson was recognized. She informed the Board that she had had the opportunity to review the State Budget quickly and noted that as anticipated the county share for Medicaid, long-term care nursing home, and HBIC had been increased to 100% of the non-federal share with changes to the State's responsibility for old age assistance, APTD, provider payments, claw back, and children services. She noted that the law would not go into effect for one year. A discussion followed. It was noted that the bill was a loose loose for the counties and that with no gate keeping provisions everything is controlled by the State. E. Robinson suggested that the financial risks to the counties are enormous because the demographics show increasing growth in the 65+ population over the next twenty years while the juvenile population over that period is level or decreased slightly. In addition, she noted that control over who goes into the system is with the State who does not pay the bills and will therefore have no motivation to control costs. She stated that the sunset date had been moved out to 2013.

The Board discussed the pending L-Chip legislation.

BOC Meeting Schedule

The Board reviewed the calendar for future meetings. The Board agreed to the following meeting schedule:

July 11 @ 1:00 P.M.	October 10 @ 3:40 P.M.
July 30 @ 1:00 P.M.	October 24 th @ 3:40 P.M.
August 15 @ 1:00 P.M.	November 7 @ 3:40 P.M.
August 29 @ 3:40 P.M.	November 20 @ 3:40 P.M.
September 12 @ 3:40 P.M.	December 5 @ 3:40 P.M.
September 26 @ 3:40 P.M.	December 19 @ 3:40 P.M.

Comm. Holden was recognized. She discussed voting for the upcoming NACO Conference. It was agreed that Comm. Holden would represent the County with Comm. Pappas as the alternate. She also provided information regarding the individuals seeking election, which was followed by the brief discussion.

J. O'Mara was recognized. He advised the Board that on June 20th there was an identification of illegal dumping on the complex property off Henry Bridge Road. He noted that it appeared that someone in the painting business dumped a significant amount of cans on the riverside. He explained that the incident was reported to the Goffstown Police. He recommended that the barrier off Henry Bridge be kept up due to the unfortunate activity. A discussion followed after which the Board agreed to keep the barrier in place.

Comm. Pappas informed the Board that it needed to make five appointments to the NHAC Executive Committee. A discussion followed regarding the makeup of the Committee and the previous appointments by the County. With the understanding that Comm. Pappas as Vice President, and Mr. O'Mara as head of his affiliate group, the following individuals were proposed: Comm. Holden, J. MacDonald, E. Robinson, G. Wenger, and B. Moorehead. Mr. Wenger was requested to follow-up with the Association.

8. Public Comment on agenda items

There were no members of the public available for comment.

Personnel

9. Non-Public Session

Motion: To go into non-public session under RSA 91-A:3II (a) to discuss employee compensation and two Personnel Commission, RSA 91-A:3II (d), lease of property, and RSA 91-A:3II (b), hiring of an employee with the Dept. of Correction. By Comm. Holden, second by Comm. Clemons. Comm. Holden, yes; Comm. Pappas, yes; Comm. Clemons, yes. Motion carried.

The Board entered non-public session at 2:25 P.M.

The Board reviewed the FY07 compensation for the four administrators. The Board discussed the performance adjustments for the four administrators approved in November and agreed to consider providing bonuses to the four employees, adjust for the percentage of the performance not previously distributed.

The Board met in its capacity as the Personnel Commission to review two employee complaints before it.

The Board met with Mr. O'Mara to discuss the hiring of an individual for the Department of Corrections

The Board met with Mr. Wenger to discuss the lease of County lands.

No action was taken during the non-public discussions.

The Board came out of non-public session at 3:55 P.M.

Motion: To come out of non-public session. By Comm. Clemons, second by Comm. Holden. Comm. Clemons, yes; Comm. Pappas, yes; Comm. Clemons, yes. Motion carried.

Comm. Clemons was recognized for a motion

Motion: Move to dismiss the Personnel Commission letter of complaint dated June 11, 2007 under RSA 91:B:2-3. By Comm. Clemons, second by Comm. Pappas. Motion carried unanimously.

Comm. Holden requested that the prior motion be reconsidered as she was unclear which matter was under consideration. The Board agreed to reconsider.

Motion: Move to reconsider the previous motion. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously

Comm. Clemons was recognized for a motion.

Motion: Move to dismiss the Personnel Commission letter of complaint dated June 11, 2007. By Comm. Clemons, second by Comm. Pappas.

Comm. Holden stated that she would move the matter forward for a hearing in order to obtain further information prior to taking action. There being no further questions the vote was called.

Motion carried, two in favor one, Holden, opposed.

Comm. Holden was recognized for the following motions.

Motion: Move to grant an extension, on the request, to the close of business Thursday June 28, 2007 expressed in a letter dated June 15, 2007. By Comm. Clemons, second by Comm. Holden. Motion carried unanimously

Motion: Move to hire Dean Colletti as the Assistant Superintendent at the Department of Corrections on a provisional basis consistent with Hillsborough County Personnel Policy 2-30:S, this provisional appointment shall not exceed 90 days. Compensation shall be consistent with the FY08 DOC budget pro-rate not to exceed 3/12th of the assigned salary. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously

Motion to forward to the Public Employees Labor Relations Board a modification petition for three positions at the Department of Corrections as presented by the Superintendent of the Department of Corrections and to authorize the Chair to sign on behalf of the Board. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously

Motion: Move to implement the budgeted wage adjustment for non-affiliated employees as of July 1, 2007, a COLA of 1.4 percent and performance as of the anniversary date of 2.55 percent. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously

Motion: Move to give bonuses to the following individuals, the County Administrator, Nursing Home Administrator, Superintendent of the Department of Corrections, and Human Services Director as follows: one thousand dollars to the County Administrator, one thousand dollars to Nursing Home Administrator, one thousand dollars to Superintendent of the Department of Corrections, and seven hundred and fifty dollars to the Human Services Director. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously

There being nothing further to discuss, the Board entertained a motion to adjourn.

10. Adjourn

Motion: To adjourn. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

The meeting adjourned at 4:23 P.M.

(SIGNED 8/15/07)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date