

Regular Meeting of the
Hillsborough County Board of Commissioners
July 10, 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, P. Coughlin, J. Hardy, D. Dionne, C. Kirby, B. Moorehead, D. Reidy, M. Castonguay, M. Rioux, E. Robinson, G. Wenger, and L. Stonner

Call to Order

Comm. Pappas called the meeting to order at 9:01 a.m. Ms. Robinson led the Pledge of Allegiance.

Administrative Business

Approval of Payroll Registers

Motion: To approve a Miscellaneous Payroll dated July 3, 2013 in the amount of \$254.96, and a Miscellaneous Payroll dated July 5, 2013 in the amount of \$741.12 for a total of \$996.08, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve a Regular Payroll dated July 3, 2013 in the amount of \$1,093,210.26, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Approval of Accounts Payable Register:

Motion: To approve the following Accounts Payable registers on the following dates:

- June 28, 2013 \$ 57,341.44
- July 9, 2013 \$2,957,998.26
- July 9, 2013 \$1,636,288.48

for a total Accounts Payable of \$4,651,628.18, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Bid # TS 13-01 – Security Additions – Temple Street

Motion: To approve Bid # TS 13-01 for Security Additions at Temple Street in Nashua, noting that Pelmac Industries, Auburn, NH, was the only responsible bidder meeting the specifications at a price of \$10,321. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Ms. Robinson explained that the bid was sent to 5 security companies; 3 companies came to the building for a walk-through, and there was an original higher quote from Stanley Convergent, but they chose not to bid; Pelmac Industries was the sole bidder.

Bid # CC 13-02 – Gas Main Extension and Connection

Motion: To approve Bid # CC 13-02 for gas main extension and connection to the boilers at the Complex; C. D. Boiler, Hooksett, NH is the lowest responsible bidder at a cost of \$10,910. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve Bid # COAF 2014-01 for Audit Services, and to award the bid to Vachon Clukay & Co., PC, as the lowest responsible bidder meeting the specifications and the current provider; the cost for 2013 is \$16,241, for 2014 it is \$16,667, and for 2015, the cost will be \$17,093

for a total cost of \$50,001. Motion by Comm. Holden, second by Comm. Pappas. Motion carried. Mr. Wenger explained that the bid for Audit Services actually went down based on what the auditors have seen as they have worked with the County and the improvements that have been made.

Transfer # 2013-52 – County Complex

Motion: To approve Transfer # 2013-52 to transfer the amount of \$14,000 from Fuel, line 4198-7650, and to transfer a like amount to Electricity, line 4198-7610. Motion by Comm. Holden, second by Comm. Pappas.

Comm. Holden explained that the reason that funds are available in the fuel line is because savings have occurred due to the new boiler and ceasing to heat the barn; this request will permit payment of May and June invoices for electricity.

Motion carried to approve Transfer # 2013-52

Transfer # 2013-53 – Department of Corrections

Motion: To approve Transfer # 2013-53 for the Department of Corrections to transfer the amount of \$58,000 from Health & Accident, line 4230-7120, and to transfer a like amount to Medical/Dental-Males. Motion by Comm. Holden, second by Comm. Pappas.

Comm. Holden explained that this transfer is requested in anticipation of invoices to be received for medical and dental services incurred during the final weeks of the fiscal year; as noted in previous transfers, several inmates with significant health issues continue to deplete the appropriation. Funds are available to transfer due to staff vacancies during the fiscal year resulting in insurance premiums not having to be paid.

Supt. Dionne informed the Board that since July 1st, there have been 2 inmates in the hospital for more than a week; currently 1 inmate is hospitalized.

Motion carried to approve Transfer # 2013-53.

Transfer # 2013-54 – County Attorney's Office

Motion: To approve Transfer # 2013-54 for the County Attorney's Office to transfer the amount of \$619 from Travel-In State, line 4123-7700 and to transfer a like amount to Travel-In State, line 4123-7710. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2013-55 - Nursing Home

Motion: To approve Transfer # 2013-55 to transfer the amount of \$145,061 from Nursing-Health & Accident, line 4414-7120 and to transfer a like amount to Administration-Bed Assessment, line 4411-7299. Motion by Comm. Holden, second by Comm. Pappas.

Comm. Holden noted that the aforementioned transfer is needed to provide funds to cover the higher than budgeted bed assessment due to revenues, particularly in the 4th quarter; the bed assessment (tax) is based on 5.5% of revenues and then the number is matched by Federal funds and distributed back to New Hampshire Nursing Homes on a quarterly basis; Nursing-Health & Accident is lower than budgeted as the budgeted number is an estimate and is also affected by turnover.

Motion carried to approve Transfer # 2013-55.

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, noting that as of June 2nd, the total in custody was 555; it included 433 men; 166 had been sentenced and 267 were awaiting trial; there were 121 women in custody; 44 had been sentenced and 77 were awaiting trial. Supt. Dionne added that there were 8 in the Pre-Trial Supervision Program and 26 in the Community, and there were a total of 133 in the diversionary Mental Health program. He added that the DOC is also holding 48 females from Rockingham County.

Comm. Pappas noted that the Board has been provided the Overtime Impact Report for the record.

Bid # FY14-06 – Dental Services

Motion: To approve Bid # FY14-06 for Dental Services at the Department of Corrections; the lowest responsible bidder is Dr. Chris Kempton, Alton, NH at a cost of \$120/hour for a total price of \$24,960; this is the first year of a 3 year contract and with a \$5/hourly increase each subsequent year. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Supt. Dionne informed the Board that the new rate is less than the current rate of \$135/hour.

Bid # FY14-09 – Facility Video Camera Service Contract

Motion: To approve Bid # FY14-09 for a service contract for the Department of Correction's Video Camera Service at a price of \$9,000 to Pelmac Industries, Auburn, NH, consistent with RSA 28:8-e, V with a request to waive competitive bidding due to the vendor being the manufacturer of the equipment to be serviced. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Supt. Dionne expressed his thanks to those present and elected officials who helped in developing the budget this year. He also thanked Mr. Wenger for organizing a meeting of the department heads and the resulting discussion that occurred. He noted that he is appreciative that the Executive Committee and Delegation supported the budget and noted that the action taken shows respect for the bargaining units and the employees.

Supt. Dionne informed the Board that a recent lawsuit was settled in favor of the County; he thanked Attorney Kirby and Attorney Curran for their assistance and support.

Supt. Dionne reported that the Superintendents' Affiliates presented 3 bills to the NH House; 2 of 3 were passed. One of the bills relates to a savings for Medicaid/Medicare Insurance; another relates to the safety and security of Officers doing transports and hospital details and would give limited powers of arrest while on the road or at the hospital. He added that if the Commissioners want him to develop a procedure, he will do so.

Nursing Home

Census

Mr. Moorehead presented the Nursing Home census; he indicated that the Nursing Home Census as of July 4th, was 279 residents; it included 212 Medicaid residents, 34 Private Pay residents and 33 Medicare, Part A residents.

June Revenue

Mr. Moorehead referred the Board to the revenue handout for June 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 June revenue was 1,804,203, which resulted in a negative variance of \$68,792 for the month. He explained that factors affecting the bottom line include:

- June is a 30 day month
- approximately \$7,000 was declined in Medicare Part A due to sequestration
- approximately \$16,350 needed to be booked on a cost report to get a percentage of that back; when the cost report is submitted, approximately 75% of the allowed bad debt is paid.

Year to Date Revenue

Mr. Moorehead directed the Board to the Year to Date Revenue report; he explained that this is an incomplete summary of the full year; he added that the paperwork was just submitted for the April, May and June bed tax expense. The revenue does not include an estimated \$750,000 to 1,000,000 in bed tax revenue, so this is very positive for the year. The report illustrates budgeted revenue for the year of \$26,875,935 and actual revenue of \$27,642,765, resulting in a positive variance in revenue of \$766,830, which is an excellent number. Added to that will be approximately a minimum of \$750,000 in bed tax, which should arrive in the next week or two.

Mr. Wenger remarked that there have been significant positive variances over the past couple weeks that will impact the projections; he added that it is his belief that the County will be in a more favorable position than anticipated; a significantly increased ProShare came in and \$110,000 in Escheat payments was received at the end of the fiscal year. Mr. Moorehead explained that the budget for ProShare was \$2,000,000 and the amount received was \$4,092,958.

Registry of Deeds

Register Coughlin informed the board that while the revenue projection for FY13 was 3.4 million dollars, the actual revenue was 3.7 million dollars. She added that June was extremely busy and all lines are up.

Sheriff's Department

Bid # 2014-14 - Vehicle

Motion: To approve Bid # 2014-14 for the purchase of a Ford Police Interceptor 4-door Sedan, noting that it is a State bid with a request to waive competitive bidding consistent with RSA 28:8-e V, and to award the bid to John Grappone Ford, Bow, NH, at a price is \$23,738. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

In response to a question from Comm. Holden, Sheriff Hardy noted that this purchase is a part of the 2014 budget.

Old/New Business

CBA – County Attorney Teamsters – Execution of Agreement

Mr. Wenger noted that he has the County Attorney Teamsters' agreement for the Board's signature; it has been sign by the union representatives and is ready for execution. The Board agreed that the agreement will be executed at the end of the meeting. Mr. Wenger added that he is working to get the other contracts processed

and is hoping to have them for the Board's next meeting.
Escheat Receipts

Mr. Wenger explained that the Escheat receipts are always budgeted at \$1 because it is not known if the County will receive any receipts; \$110,887 for Escheat receipts came in at the end of the fiscal year.

Permit to Trap

The Board received a "Permit to Trap" request from Mr. Richard Gauthier for Board approval. Ms. Robinson explained that the Board's approval is required to permit trapping on County land and explained that Mr. Gauthier has submitted his request for several years; she added that trapping is critical to prevent flooding.

Motion: To execute the trapping permit for Richard Gauthier and to authorize Comm. Pappas to sign on behalf of the board. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Holden noted that the next Board meeting is scheduled for Wednesday, July 24th and added that it is her understanding that Comm. Ziehm is scheduled to return on July 25th. She suggested that the Board meeting be changed to July 25th. Comm. Pappas concurred; the next Board Meeting is scheduled for Thursday, July 25th at 9:00 a.m.

Mrs. Castonguay expressed her thanks to Supt. Dionne for his help and the food provided at the Delegation meeting/cookout.

Mr. Wenger explained that the County participated in a 5310 Transportation Grant working with Red Cross providing transportation in rural areas of the County; it was a grant that funneled through the County. He noted that the County expended all but \$4,067.79 of the grant funds and it was his understanding that the County was done with the grant and that Cheshire County also had a related grant because of the overlapping communities. He noted that it was his understanding and that of Cheshire County that with change in the operation of the vendors, the State had transferred the remaining monies over to Cheshire County's grant so that they could process it on behalf of vendors in their area. Cheshire County learned, upon submitting their paperwork, that that never happened; the individual who was responsible at the State is no longer there, therefore, Cheshire County has approached Hillsborough County at the suggestion of the State, to see if Hillsborough County is willing to process the paperwork on their behalf. He noted that the work has been done and the State will approve it for payment; it is simply a flow-through and the County still has the encumbrance for the funds on the expense side and would be totally reimbursed. He added that Cheshire County has prepared all the paperwork and all he needs is Board approval to go forward.

Motion: To authorize the County Administrator to work out the remaining grant funds with Cheshire County and the State. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Wenger explained that every year the County has an open enrollment period at which time all employees are sent a benefits package that outlines their eligibility for insurance through the County advising them of what they currently have and what they are entitled to; there is a deadline by which they have to respond. Human Resources collects all the paperwork and the County then has the responsibility of getting enrollments to the insurance companies in a timely manner so that enrollments and billing are correct and cards can be issued. Mr. Wenger explained that the County cannot legally continue an employee's benefits without the employee's written authorization to do so. He went on to explain that each year timeliness becomes an issue for Human Resources as they chase after people who anticipate that their benefits will simply continue, who don't read the packages, or who simply don't respond by the cutoff date. He added that the County simply cannot continue to chase after individuals. He noted that this year there were 2 individuals that did not respond in time; 1 individual did not want to continue benefits and did not advise Human Resources and the

other thought he had already done it.

Mr. Wenger went on to suggest that he would like to place responsibility on the employees and let them know that they have the responsibility to read the letters they receive from Human Resources as well as to understand that there are documents in the packets that require their response; the employees need to understand that the County can no longer extend the deadline and go to the insurance companies and beg them to enroll the individual. He noted that he would like to send out something from the Board of Commissioner's that would indicate that the benefits package is important and that the employees have to meet their obligations if the County is going to meet its obligations. He added that he will go to the insurance company this year to see if 1 employee's benefits can be continued if it is the wish of the Board but remarked that the County no longer has the staffing or the time to chase after individuals who do not respond in a timely manner. He added that he will likely come to the Board next year for a letter that explains that benefits will not be continued if the employee does not respond. Comm. Pappas and Comm. Holden concurred; Comm. Holden noted that it is important for the employee to understand that it is their responsibility to respond, and it is not the County's responsibility to chase after employees who do not respond.

Discussion ensued relative to open enrollment and how employees can be informed that written authorization is required if benefits are desired; options were discussed relative to how to make the employees understand that it is their responsibility to return the documents. Mr. Wenger added that notice will be given to those who have not submitted benefit information, but the issue here is that the employees need to understand it is their responsibility to submit the benefits documents.

Mrs. Castonguay noted that she has revised copies of the budget for those who would like a copy.

Public Comment

There were no members of the public present who wished to comment.

Non-Public Session

Comm. Pappas addressed Mr. Wenger's request for a Non-Public Session.

The Board took a brief break.

Motion: To move into Non-Public session with Mr. Reidy, Attorney Kirby and Mr. Wenger consistent with RSA 91-A:3 II (d) relative to land. Motion by Comm. Holden, second by Comm. Pappas. Holden-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public Session at approximately 9:48 a.m.

The Board met with Mr. Reidy, Attorney Kirby and Mr. Wenger.

The Board moved out of Non-Public Session at 10:15 a.m.

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

Mr. Wenger informed the Board that at the last meeting; he presented information relative to letter to be sent to part-time employees regarding the Affordable Care Act; the provision of the Affordable Care Act that would be addressed in the letter has been extended for a year, which delays the need for sending the letter and gives the County the time to do further research. He noted that the requirement to provide Health Insurance for part-

time employees would have been grandfathered. He added that he is not sure if the grandfathering was also extended, but he will confirm whether it applies on January 1, 2015 or July 1, 2015, but in any event, this gives the County additional time relative to the implication of providing insurance to part-time employees and how it will affect the County.

Mr. Wenger informed the Board that the Goffstown Selectmen requested an opportunity to meet with the Board. He will contact them to coordinate a date.

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

The meeting adjourned at 10:18 a.m.

Approved 7/25/13

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date