

Special Meeting of the  
Hillsborough County Board of Commissioners

July 24, 2007  
Bouchard Building, Goffstown, NH

Minutes of the Public and Non- Public Session<sup>1</sup>  
(Not Official Until Approved by the Board and signed by the Clerk.)

**Present:** Comm. T. Pappas, Comm. C. Holden, Comm. M. Clemons, S. Spratt, E. Robinson, and G. Wenger

**1. Call to Order**

Comm. Pappas called the meeting to order at 12:35 P.M.

**2. Business Office**

Transfer 2008-02 – Human Services to BOC Legal – Follow-up

Comm. Pappas informed the Board of the action taken by the Executive Committee to table the Board's request for a transfer that it had approved for the 28-a challenge being initiated by the Counties. She informed the Board that she had followed up with C. Stacey who agreed that the Commissioners should still participate in the meeting scheduled for the following morning. Comm. Holden expressed concern that the Board was without funds to retain counsel due to the recent action of the Executive Committee and its action during the budget process wherein it removed the Board's request for \$5,000 in its Legal Expense line. Referring to the applicable statutes, she stated that it was within the Board's authority to retain counsel and compromise claims however, she was concerned that agreeing to take on the financial obligation without an appropriation could rise to a misdemeanor. She suggested that the checks and balances designed into the law were being circumvented by the Executive Committee action and that the Board's duties and responsibilities compromised.

E. Robinson was recognized. She provided a brief overview of her presentation and discussion of the transfer request at the Executive Committee. She explained that she had addressed the removal of legal expense funds requested by the Board and noted that the Committee had requested the opportunity to meet with the Board's Counsel. The Board discussed this potential, noting that it would be inappropriate in light of the representation and the issues that it would present for counsel. The dual role that State Representatives have and the duty of the Commissioners to protect the interest of the County were discussed. M. Rusch offered that there had been a lengthy discussion at the Executive Committee and that there had been discussion of calling a meeting prior to September. Comm. Holden stated that the approval was necessary now to commit to the litigation. Comm. Pappas suggested that the Board would have a better understanding of what was necessary to proceed following the meeting with counsel. Comm. Clemons stated it was his understanding from the budget discussion that the Board would be allowed to transfer monies for legal expenses if the need arose. The Board agreed that it would participate in the meeting with counsel the following morning, hold the letter to counsel, and revisit the discussion of the transfer at its regular meeting the following Monday.

Teamster and DOC AFSCME – Contract Execution

The Commissioners executed the collective bargaining agreement with the Hillsborough County Department of Corrections Local #3657 American Federation of State, County and Municipal Employees AFL/CIO July 1, 2006 – June 30, 2009 and the collective bargaining agreement with the Teamsters Local 633, secretarial, Clerical and Professional Employees of the Hillsborough County Attorney's Office, July 1, 2007 through June 30, 2009.

**3. Old/New Business**

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

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<sup>1</sup> The Board agreed to waive the audio recording of the meeting.

**4. Adjourn**

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

The meeting adjourned at 12:45 P.M.

*(SIGNED 7/30/07)*

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Comm. Michael Clemons, Clerk  
Hillsborough County Board of Commissioners

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Date