

Regular Meeting of the
Hillsborough County Board of Commissioners
July 25, 2012
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. S. Ziehm, Comm. Holden, Comm. Pappas, D. Dionne, C. Kirby, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

1. Call to Order

Comm. Ziehm called the meeting to order at 9:01 a.m.

2. Pledge to the Flag

Supt. Dionne led the Pledge of Allegiance.

3. Administrative Business

Approval of Payroll Registers

Motion: To approve the following Miscellaneous Payrolls in the following amounts:

- July 12, 2012 \$448.00
- July 19, 2012 \$348.14

for a total of \$796.14, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion: To approve a Regular Payroll Dated July 19, 2012, in the amount of \$1,137,966.87, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Accounts Payable Registers

Motion: To approve the following Accounts Payable Registers in the following amounts:

- July 16, 2012 in the amount of \$4,056.27
- July 16, 2012 in the amount of \$360.00
- July 16, 2012 in the amount of \$122,105.49
- July 23, 2012 in the amount of \$701,187.67

for a total of \$827,709.43, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Sheriff's Extradition Vouchers

Motion: To approve the following Extradition Vouchers in the following amounts:

- June 22, 2012 in the amount of \$271.65
- June 26, 2012 in the amount of \$132.19
- June 30 to July 2, 2012 the amount of \$2,074.17

for a total of \$2,478.01, noting that the Extradition Vouchers have been previously approved by the County Attorney. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

4. Public Comment on Agenda Items

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

5. Department of Corrections

Census

Supt. Dionne presented the Department of Correction's Census. He noted that the Census as of July 12, 2012 was 570; he explained that the Census included 476 men, including 169 that had been sentenced and 307 that were being held pre-trial; there were 94 women, of whom 29 had been sentenced and 65 were being held pre-trial. He added that 25 of those females are from Rockingham County. Supt. Dionne informed the Board that there are a total 136 individuals that were diverted through the Mental Health Courts from Manchester and Nashua; he added that if it were not for this program, these individuals would be held at the DOC.

Administrative Transfer

Supt. Dionne requested Board approval for the Administrative Transfers of two inmates; the transfers are male inmates from Rockingham County.

Motion: To approve the Administrative Transfer of two male inmates from Rockingham County. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

6. Nursing Home

Mr. Moorehead is on vacation. The Census will be available at a later date.

7. Old/New Business

Mr. Wenger spoke relative to the action taken at the last Board meeting regarding the Nursing Home Laundry Lead Worker position that was created; it was to be effective September 1st along with the reduction of a full-time position to \$1; he noted that Mr. Moorehead requested that the effective date be changed to November 1st because the Executive Committee doesn't meet again until late September, therefore the changes cannot be implemented by the proposed date of September 1st. Additionally, there have been other changes.

Motion: To rescind the hiring action taken by the Board at its last meeting to reduce the Nursing Home Laundry worker position # 905612001 to \$1, this was to occur on September 1st. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Motion: To reinstate the motion and to change the effective date to November 1, 2012. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger presented the Board with three letters for the Commissioner's signature relative action taken by the Board at its last meeting regarding position changes; they include:

- the Nursing Home Maintenance Worker II that will be effective August 18th,
- the Nursing Home Lead Laundry Worker that will now be effective November 1st, and
- the DOC Administrative Assistant II.

Mr. Wenger informed the Board that the County Attorney Teamster agreement has been executed by the Teamster Group; he presented copies to the Commissioners for their execution of the agreement.

Mr. Wenger informed the Board that it is the time of year to approve Auditor services and offered an Auditor engagement letter with Vachon, Clukay for the Board's approval. He noted that this is the second year of a three year contract and is for the 2012 audit. The Board agreed to sign the engagement letter.

Motion: To authorize the Chair to execute the engagement letter for audit services.
Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger presented the FY12 encumbrances for the Board's approval and asked that the Commissioners initial each encumbrance.

Mr. Wenger informed the Board that the County is in the middle of providing educational programs with respect to the implementation and offering of the HMO Mid-Plan. He explained that representatives from the Interlocal Trust along with D. Boyd and he are visiting all the departments to explain the new program and the differences and cost ramifications, specifically with respect to the non-affiliated employees and the County Attorney Teamsters and with the other bargaining groups being consistent with their contracts. He added that the educational programs will continue; each department is being visited twice; they were at the DOC the previous day to reach the three different shifts. Discussion ensued regarding the difficulty of reaching all employees and the fact that there are many opportunities if the employees will take advantage of the opportunity to learn about the benefits of the different insurance programs. He added that the cost of the County's Point of Service for a family plan is \$11,000 if an employee remained on the plan as of September 1st; but, if those individuals were to move from the Point of Service to the HMO-Mid Plan, the savings would be \$5,900; he added that there are reasons to remain on the Point of Service plan, including those who have specific issues regarding chiropractic care, physical therapy, occupational therapy, or durable medical goods. Discussion ensued regarding the difficulty of getting employees to attend the meetings so they become informed consumers. He added that when the County started moving to an HMO six or seven years ago, about 80% of the employees had a Point of Service plan; that is down to about 10% currently.

Mr. Wenger updated the Board regarding the reorganization that has taken place in the Commissioner's Office of Administration and Finance. He noted that while there are a few details that still need addressing, 98% of the work is complete. He added that the UNH Cooperative Extension Education Office has successfully moved into the front half of the space that was formerly occupied by Human Services; there are still items in the rear of that space that need to be placed in storage. The Sheriff's Office Warrants division will move to that space.

Mr. Wenger requested an opportunity to meet with the Board in Non-Public Session consistent with RSA 91-A:3 II (a) relative to a personnel issue. Comm. Ziehm also requested an opportunity to meet in Non-Public Session consistent with RSA 91-A:3 II (a) relative to a personnel matter.

Comm. Pappas reported on her attendance at the recent NHAC meeting and the County State Finance Committee meeting. She noted that Ms. Robinson also attended and asked Ms. Robinson to report on

the meeting. Ms. Robinson reported on the new Care Management program and how it will affect the County; she addressed changes will occur for those who are on Medicaid with respect to Nursing Homes that are involved in long term care. She added that contracts were awarded to three companies, namely Boston Medical, Meridian, and Centrene. Ms. Robinson noted that there are two phases with respect to Care Management; long-term care will be phased in during Phase II; however, ancillary services that are charged separately will be a part of Phase I. Residents who receive ancillary services above the daily Medicaid rate will have to go through the process of selecting one of the three insurers as a provider. Nursing Homes are going to have to assist residents in making informed choices.

Attorney Kirby asked a clarifying question to which Ms. Robinson responded that if a current Medicaid resident receives services outside of the Nursing Home during Phase I, the resident will have to go through the process of selecting one of the three companies as an insurer and the resident will have to be certain that his/her medical provider will be a part of their insurer's network. She added that all Medicaid residents will have to change to one of the three insurers during Phase II.

Attorney Kirby asked what the impact would be with respect to the current providers that the County is contracted with. Ms. Robinson responded that she is assuming that if a contracted vendor's rate is within the Nursing Home's current rate, the County will be reimbursed from the State during Phase I. She added that when moving to Phase II, there will be an impact if the services are above the daily Medicaid rate. Attorney Kirby added that her concern is with respect to professional services that the Nursing Home provides and the contracts in place for those services, and whether those providers are within the network of one of those three companies.

Ms. Robinson reported that there was also discussion relative to Jonathan McCosh's salary, and the rate-setting bureau, and that his job code had been excluded. She added that it appeared that all Counties were in agreement in their belief that those charges should be part of the Cap; she added it is her intention, in the mean time, to not pay those charges at this time and to include them as part of the Cap. Mr. Wenger added that he received an email from Betsy Miller, and it is his understanding that it is NHAC's position that the salary is part of the Cap.

Attorney Kirby requested that she be placed on the NHAC email distribution list. Ms. Robinson agreed to forward the request to B. Miller.

Ms. Robinson reported that the anticipated bonus ProShare payment that the County will receive is \$2,089,304.91 once it has been given final approval by Governor and Council. Mr. Wenger noted that the funds will be added to the FY12 budget.

In response to a request from Comm. Holden, the Board agreed to move its August 8th meeting to Friday, August 10th at 9:00 a.m.

Comm. Holden informed the Board that she has received a letter relative to the Wilton Cemetery from Betty Williams. Ms. Williams' asked:

1. "what is being done to acquire public access to the cemetery?"
2. where can I find a complete list of those buried there?"
3. when is the Board going to do maintenance on the cemetery per state law per chapter 289?"

Comm. Holden explained she spoke with Ms. Williams on the telephone relative to the questions; she added that Ms. Williams might come to a Board meeting. Comm. Holden told Ms. Williams that she would forward the letter to Legal Counsel and requested that the letter be a part of the public record.

Attorney Kirby reviewed the letter and explained that it is her understanding that the Board is not pursuing public access, that the County does not have records of the individuals that are buried there, and that the Department of Corrections would handle maintenance. Comm. Holden concurred. A discussion ensued with how to address the maintenance issue now that there is no longer a Community Service program. The Board agreed that since it is County Property, maintenance could be handled by the County with inmates under staff supervision. The Board agreed that Ms. Robinson would work with Mr. Hunt to coordinate the maintenance. County staff who have been to the site before, along with those involved in supervising the project, will visit the site to determine the scope of work to be done and to coordinate the project with the abutters. Attorney Kirby added that it is her understanding that the County has an implied easement and she does not believe the abutters will object to DOC workers going in. Supt. Dionne agreed to work with Attorney Kirby and Ms. Robinson to facilitate the project.

Comm. Ziehm asked about the status of completing the Policies & Procedures. She added that she understood that the budget took precedence, but that that budget season is over, she wondered about completing the Policies & Procedures. Mr. Wenger responded that the County is in the process of making all the revisions that were discussed and coming back with a petition relative to what was discussed.

Mr. Wenger added that at the last Executive Committee meeting, there was a discussion relative to him having a list of Statutes to be changed; he noted that he has no list of Statutes to be changed; he added that he does have a list of Statutes that relate to County Government. Comm. Ziehm added that it was an understanding and that Chairman Seidel had asked for a list of the relative Statutes and asked if the board had any suggestions. Ms. Robinson offered that it might be worthwhile to add something to protect the Counties relative to the rate-setting unit. Mr. Wenger noted that a Sub Committee of the Executive Committee was appointed to research Statutes that apply to County Government. The Sub Committee includes Representatives Kurk, Hinch, Belanger, Robbins, Shaw, Hutchinson, and Chairman Seidel. Their first meeting is scheduled for August 2nd. Following discussion relative to those who cannot attend, Ms. Castonguay indicated that she will ask the Chair to consider changing the date of the meeting because it is a time when many are on vacation.

Discussion ensued; there was concern expressed relative to the Representatives understanding of County government. Comm. Pappas suggested that it would be a good thing for the group to work with B. Miller and the NH Association of Counties. Comm. Ziehm concurred. Mr. Wenger distributed a list of Statutes that relate to Counties and County operations that was generated during the process of the Study Group meetings. He added that if the Board wishes, he will send the list to see if there are any other additions and agreed to send the list to Ms. Castonguay in PDF form.

Attorney Kirby suggested that there may be some minor changes that could be made to expedite things, such as needing Executive Committee approval for transfers that occur for minute amounts of money; perhaps the Statute with respect to transfers could be modified to say that any transfer exceeding a certain dollar amount would have to be approved by the Executive Committee as opposed to some smaller transfers that occur. An example would be when there was a need to convene the Executive Committee for a transfer of \$100, or perhaps \$10 or \$20. Further discussion ensued with respect to the Executive Committee's goal or agenda. Comm. Holden noted that at the State level, the State Representatives are responsible for policy and the money, and it is not understood that at the County level the Commissioners are responsible for policy. Discussion ensued relative to orientation for new Representatives; it was noted that the Representatives that were elected two years ago were invited to three separate orientation meetings and were invited to tour the County facilities, yet few availed themselves of the opportunity. Comm. Pappas noted that NHAC also offered orientation and B. Miller puts together a presentation that outlines their role. Ms. Castonguay informed the Board that

every two years, there is an orientation for all Representatives at which time, the department heads give an overview of what they do and the Representatives get a Statute book. She added that few Representatives attend the orientation.

8. Public Comment

There was no one present from the public who wished to comment.

Ms. Castonguay informed the Board that the next meeting of the Executive Committee is scheduled for September 28th at 9:00 a.m.

9. Non-Public Session

Comm. Ziehm entertained a motion to move into Non-Public Session. She noted that she does not need to meet as her issue has been addressed during the meeting.

Motion: To move into Non-Public Session with the Mr. Wenger consistent with RSA 91-A:3 II (a) relative to a personnel matter. Motion by Comm. Holden, second by Comm. Pappas. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Non-Public session at 10:02 a.m.

The Board met with Mr. Wenger.

The Board moved out of Non-Public Session at 10:27.

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

Motion: To create a temporary Human Resources position in the Commissioner's Office of Administration at a cost not to exceed \$600 per week for a period of two months.

Lacking further business, Comm. Ziehm entertained a motion to adjourn.

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

The meeting adjourned at 10:30 a.m.

Approved 9/5/2012

Comm. Carol H. Holden
Vice Chairman/Clerk
Hillsborough County Board of Commissioners

Date