

Regular Meeting of the
Hillsborough County Board of Commissioners
July 27, 2011
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. C. Holden, Comm. Pappas, P. Coughlin, J. Hardy, C. Kirby, J. O'Mara, B. Moorehead, E. Robinson, and L. Stonner

1. Call to Order

Comm. Ziehm called the meeting to order at 9:08 a.m.

2. Pledge to the Flag

P. Coughlin led the Pledge of Allegiance.

3. Administrative Business

Approval of Minutes

Motion: To approve the minutes of the Board of Commissioner's Special Meeting for the Public Hearing scheduled for July 21, 2011. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Approval of Payroll Registers

The Board reviewed and approved the Payroll Registers.

Motion: Comm. Holden moved to approve the following Payroll Registers for the following dates and amounts:

- July 22, 2011 in the amount of \$480.00
- July 22, 2011 in the amount of \$125.00
- July 22, 2011 in the amount of \$328.60
- July 25, 2011 in the amount of \$1,119.92
- July 21, 2011 in the amount of \$1,731.20

for a total miscellaneous payroll of \$3,784.72, subject to review and audit. Comm. Pappas seconded the motion. Motion adopted.

Motion: Comm. Pappas moved to approve a regular payroll dated July 21, 2011, in the amount of \$1,194,602.79, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Approval of Accounts Payable Registers

The Board reviewed and approved the Accounts Payable Registers.

Motion: Comm. Holden moved to approve the following Accounts Payable Registers for the following dates and amounts:

- July 12, 2011 in the amount of \$56,113.12
- July 13, 2011 in the amount of \$930.00
- July 20, 2011 in the amount of \$51,198.03
- July 22, 2011 in the amount \$254,383.61
- July 26, 2011 in the amount of \$1,895.50
- July 26, 2011 in the amount of \$121,715.46

for a total Accounts Payable of \$486,235.72, subject to review and audit. Comm. Holden seconded the motion. Motion adopted.

Sheriff's Extraditions

Motion: Comm. Pappas moved to approve the Sheriff's Extradition for the period June 12 through June 14, 2011, in the amount of \$1,352.43, and a second Extradition for the period of June 27 through June 28, 2011 in the amount of \$734.91, for a total Extradition expense of \$2,087.34, noting that the Extradition has previously been approved by the County Attorney. Comm. Holden seconded the motion. Motion adopted.

4. Department of Corrections

Census

Supt. O'Mara presented the DOC Census. He noted that as of July 19, 2011, the Census was 532, which included 464 men of whom 395 were being held pre-trial and 105 that have been sentenced. There were 62 women of whom 45 were being held pre-trial and 17 that have been sentenced.

Bid # FY12-51 – 1200 Cases 2 Ply Toilet Paper

Mr. O' Mara presented Bid # FY12-51 for 1200 cases of 2 Ply Toilet Paper for the Department of Corrections. He recommended that the bid be awarded to Xpedx, Wilmington, MA at a per case cost of \$35.93 for a total cost of \$43,116.

Motion: To approve Bid # FY12-51 for 1200 cases of 2 Ply Toilet Paper as outlined by Supt. O'Mara. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. O' Mara added that he has 1 item to address under Old/New Business and a request to meet with the Board in Non-Public Session relative to a security matter at the Department of Corrections.

7. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census and explained that as of July 21, 2011, the census for the Nursing Home was 282 total patients/residents; there were 196 Medicaid residents, 51 self pay residents, and 35 Medicare Part A residents. He noted that census numbers continue to be strong and the mix is very positive.

The Board reviewed an article regarding the potential closing of the Cheshire County Nursing Home and a pending study that will help determine its fate.

In response to a question from Comm. Ziehm, Mr. Moorehead explained that if a Nursing Home were to close, the process would take approximately 2 to 2 ½ years; a discharge plan would be done and

admissions would be stopped; the census would be reduced as patients passed away and as others were placed in other facilities. Further discussion ensued relative to the Cheshire County Nursing Home.

Comm. Ziehm asked Mr. Moorehead how the facility was doing relative to hiring for the approved positions and the goal of increased revenue. He added that the June numbers are up and that Part B, which will be the main source of increased FY 2012 revenues, has almost tripled. Mr. Moorehead explained that D. Dempsey has done an excellent job of managing referrals between departments to get the numbers up; he added that he is hopeful that that trend will continue. Comm. Ziehm inquired relative to whether the aforementioned staff member is one of the people who did not receive an increase; Mr. Moorehead responded that she is, in fact, a non-affiliated employee. Comm. Ziehm asked Mr. Moorehead to convey her thanks on behalf of the Board for her efforts.

Mr. Moorehead informed the Board that he would expect “volumes” of grievances as a result of the layoffs and cuts. He added that they are grieving prior to an occurrence; the contract is specific regarding the time frame as to when an occurrence occurs.

7. Old/New Business

Comm. Ziehm indicated that she would like to address revisions to the County Policies and Procedures and asked her fellow Commissioners how that could be organized. Comm. Holden noted that it is her belief that first the Board should review them; she added that in her estimation, they need a total revision and that they should be specific and eliminate any grey areas. She added that the way to do it would be to announce the plan to the Department Heads who in turn review the policies one by one with suggestions for the Commissioners. She added that it has been done before, and there needs to be an update. Mr. Moorehead responded that they are waiting for an update. Comm. Holden added that there are a series of protocols that have to be followed; she added that this needs to be a top priority and part of the reorganization.

Ms. Robinson added that the Department Heads have sat down with Mr. Wenger and Attorney Kirby and the Director of the Department of Human Resources to work on reassessing the policies; she added that they did a total re-write of the policies but it was not finalized and brought to the Board. She added that they are close to being finished and offered that perhaps Comm. Ziehm could address this with Mr. Wenger on his return.

Comm. Ziehm noted that she continues to have a concern regarding the empty building in the front of the Complex. She added that the Board certainly does not want to market the space if it is the County's intent to move the Registry of Deeds to that building. Comm. Ziehm indicated that it is her belief that in order to determine how much such a move would cost, a Profit & Loss should be done. She added that the Board needs to know what it would cost to move the Registry to this location as well as what the gains and losses would be; she added that without that information, there is a roadblock that prevents the Board from moving forward with occupancy of the building. She asked about how one could get the cost information and inquired if NACo might have any information.

Comm. Pappas asked what the Register of Deeds thinks, and if she might have information or estimates relative to the process. Register Coughlin added that she has no information relative to the cost to move the Registry.

Register Coughlin informed the Board that she emailed the Commissioners with the Registry's reorganization plan. She explained that moving or adding vaults is part of the consideration and noted that she has concerns related to increased in-house work as a result of the reduction in staff, and noted that some functions, such as putting the Registry's books on the internet will not continue. She added that the staff's ability to contend with the move will depend where the Registry is in the reorganization process

and what needs to be done. Register Coughlin added that at this time, the vaults and the books are essential for the Registry because the books are not yet available online.

Register Coughlin added that since the Registry added E-Reporting, the percentage of E-filing has increased from 10% of the documents to 20%, and mailing has been reduced from 35% to 25% of the total number of documents. She added that the numbers are not based on people coming in; the tracking is based on the total number of documents. She explained that over-the-counter documents are running at about 50 to 55%. She added that there are many factors to be considered when considering a move. Comm. Ziehm added that getting the costs will take time, but added that it is her opinion that the only way to make a decision is to get the information so the Board can discuss it further. Register Coughlin added that perhaps the Board could contact those who helped with the Charrette.

In response to a question from Comm. Pappas, Comm. Holden responded that Dan Reidy was the facilitator for the Design Charrette and there was a committee. Comm. Pappas inquired if Comm. Holden thought that Mr. Reidy might be interested in working on this issue. Comm. Holden added that he could work on this, but the problem this year is that the Board can do all the planning it wishes, but it has no funds; the Capital Reserve funding proposed by the Board was tabled by the Executive Committee and never taken off the table, and it was not presented to the Delegation. Comm. Holden added that the Delegation has to see the value of the plan. Comm. Holden added that the County does need to look at the pros and cons relative to the Registry location; she added that consideration could also be given to selling the County owned building at 19 Temple Street in Nashua. She finalized her comments by adding that it is her opinion that the Board needs to establish its priorities, but added that whatever the Board does, it cannot spend more than the \$5,000 in the FY 12 budget.

Comm. Pappas asked if it would make sense to set up a committee. Comm. Holden noted that the County has a Building Committee that is a Sub Comm of the Executive Committee and added that the Board should work with that Committee. Comm. Pappas suggested that perhaps the Chair might wish to work with them. Comm. Ziehm added that she has already met with them and they suggested that the Board get the information. She added that before proceeding further in meeting with them, she would want the other Commissioners to agree and she does not want the other Commissioners to feel that she has searched for information without their approval. Comm. Pappas remarked that she understands Comm. Ziehm and added that she has made this issue her priority for a long time. Comm. Holden favored her moving forward as long as she reports back to the Board. Comm. Ziehm added that during the meeting she had with Rep. Jasper, she did not ask him to make a decision, but it is her belief that the Sub Committee has the same concern regarding potential relocation of the Registry, and the decision related to moving the Registry to this location versus leasing the building to private enterprise.

Comm. Ziehm added that keeping the building under discussion as property used by the County has tax implications. Comm. Holden added that if Comm. Ziehm was going to bring in other Realtors, she would have a concern. Comm. Ziehm added that she would not be doing that. Comm. Holden added that it is important for County government to be transparent. The Board agreed that Comm. Ziehm should check with Mr. Wenger and Attorney Kirby before proceeding in her investigation. Comm. Ziehm added that she will call Rep. Jasper to apprise him of today's discussion to keep him in the loop. Comm. Pappas emphasized that she agrees with Comm. Holden's comment and recommends that Comm. Ziehm initially work with Mr. Wenger and Attorney Kirby. Comm. Ziehm agreed to follow the other 2 Commissioner's recommendations.

Mr. O' Mara informed the Board that the Department of Corrections has accepted the transfer of an inmate from Sullivan County and a short-term transfer from Merrimack County that will be for approximately 3 days. He added Rockingham County has been holding 3 inmates for Hillsborough County; all 3 have been there for over a year. Additionally Merrimack County is holding 2 for Hillsborough County, one has been there for 1 ½ years and the other for ½ year. Also Sullivan County is

holding one inmate who has been there for approximately 2 ½ months. Supt. O'Mara observed that the reciprocal relationship that Hillsborough County has with the other Counties is working quite well.

Comm. Ziehm asked if inmate transfers were made because of conflicts. Mr. O' Mara responded it could be for a variety of reasons and noted that the County facility's structure allows the staff to manage different types of inmates.

Mr. O'Mara updated the Board relative to a 6-page complaint filed against the DOC approximately one year ago by Ms. R. Houle that described the jail as a medieval dungeon replete with the rack, the iron mask, and with daily beatings for the inmates. He shared a document with the Board from the Attorney General's office, which investigated the complaint. Mr. O' Mara explained that the AG's office found that there were no reasonable grounds to pursue criminal prosecution in this matter, therefore, the matter was considered as a "case closed." He added that he will also share the document with the Executive Committee as well as those Ms. Houle sent the complaint to originally.

9. Public Comment

There was no one present who wished to address the Board.

10. Old/New Business

Comm. Holden reported on her attendance at the NACo Conference. She explained that she worked about 12 hours each day, and added that the conference was excellent. She noted that she will email a report to the Board, Department Heads, and elected Officials and added that information is available online at the NACo website.

Comm. Ziehm entertained a motion relative to Non-Public Session. Attorney Kirby added that she would like to meet with the Board in Recess for a consult with Counsel.

Motion: To enter into Non-Public Session with Supt. O'Mara and Attorney Kirby consistent with RSA 91-A :3 II (g) to discuss a security-related issue at the Department of Corrections. Motion by Comm. Pappas, second by Comm. Holden. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Non-Public Session at 9:54 a.m.

The Board met with Mr. O' Mara and Attorney Kirby, consistent with RSA 91-A :3 II (g) relative to a security-related issue at the Department of Corrections. No action was taken during Non-Public Session.

The Board moved out of Non-Public Session at 10:25 a.m.

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

Motion: To move into Recess. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

The Board moved into Recess.

The Board reconvened at 10:29 a.m.

Motion: To move out of Recess. Motion by Comm. Holden, second by Comm. Pappas. Motion carried. Motion carried.

Comm. Ziehm entertained motions.

Motion: To authorize Legal Counsel to settle the matter discussed in Non-Public Session in the amount discussed. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To authorize Legal Counsel to place a lien on property owned by F. Marquis, and to authorize the Chair to sign the document. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To authorize an agreement with H. Anderson to accept payment of \$100 per month to pay off a debt. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Lacking further business, the Chair entertained a motion to adjourn.

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

The meeting adjourned at 10:35 a.m.

Signed 9/21/2011

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

Date