

Regular Meeting of the
Hillsborough County Board of Commissioners
July 30, 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, A. Durette, J. Hardy, P. Flood, J. O'Mara, E.A. Robinson, B. Moorehead, C. Kirby, M. Rusch, L. Movsesian, G. Wenger.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 1:07 p.m. J. Hardy led those present in the Pledge to the Flag.

2. Business Office

Approval of Payroll Registers

Motion: To approve Payroll Register dated 7/12/2007 in the amount of \$1,059,309.18, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve Payroll Register dated 7/26/2007 in the amount of \$1,006,220.17, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve the Payroll Register dated 7/27/2007 in the amount of \$43,162.44, subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried.

Approval of Accounts Payable Registers

Motion: To approve the Accounts Payable Register dated 7/24/2007, Fiscal year 07, in the amount of \$183,799.21, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve the Accounts Payable Register dated 7/27/2007 in the amount of \$12,936.28 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the Accounts Payable Register dated 7/20/2007, Fiscal year 08, in the amount of \$8,697.25 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve the Accounts Payable Register dated 7/20/2007, FY 08, in the amount of \$852,116.40 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the Accounts Payable Register dated 7/27/2007, FY 08, in the amount of \$249,091.07 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Telephone Poll – Re-Entry Project

Motion: To approve the Telephone Poll conducted July 12, 2007, to create within the administrative operations of the County, the Hillsborough County Re-Entry Project as proposed and presented by Hillsborough County Attorney, Marguerite Wageling, July 11, 2007, subject to, and for the term of, the full grant funding of the Project, and the approval of funding by the Hillsborough County Executive Committee. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the Telephone Poll conducted July 12, 2007, conditional upon approval of the Hillsborough County Re-Entry Project, budget transfer # 2008-01, Contingency, line 7290, Other Fees and Outside Services to Hillsborough County Re-Entry Project miscellaneous lines, as enumerated on the transfer form, the amount of \$680,000. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the Telephone Poll conducted July 12, 2007, to create the following County positions within the Hillsborough County Re-Entry Project, subject to the approval of the Hillsborough County Executive Committee:

- Director Re-Entry Project, full-time at grade 13;
- Assistant Director Re-Entry Project, part-time, at grade 12;
- Secretary Re-Entry Project, full-time at grade 4;
- Case Manager Re-Entry Project, three full-time positions at grade 10.

The positions shall be fully grant-funded and are for a limited term concurrent with available grant funding. By Comm. Clemons, second by Comm. Holden. Motion carried.

Telephone Poll – DOC-Rockingham Inmate

Motion: To approve the Telephone Poll of Thursday, July 19, 2007, to authorize the Superintendent to accept the transfer of a female inmate from Rockingham County, noting that Commissioners Clemons and Holden voted in the affirmative, and the motion carried. By Comm. Holden, second by Comm. Clemons. Motion Carried.

Mr. Wenger noted that Comm. Pappas was not available at the time of the Telephone Poll.

Bid #CIS-3-2008 – Imail – Email Server Program

Motion: To approve Bid #CIS-3-2008 for Imail and Email Server Program, dated August 1, 2007, to Insight Public Sector, Tempe, AZ, in the amount of \$2,390.66, noting it is the lowest responsible bidder. By Comm. Holden, second by Comm. Clemons.

Mr. Wenger informed the Board that we are upgrading the Email server; we have purchased the server, and this is part of the software, noting there will be a second part coming in. Mr. Wenger explained that we would be near, but below the budget.

Motion carried.

Sheriff's Receivables Write-offs, 2005 and older

Mr. Wenger informed the Board that this requests represents the County and Sheriff's Office attempt to address a longstanding audit issue. He explained that the County Auditor has raised an issue regarding receivables in the Sheriff's Office that go back over several years. Mr. Wenger noted that the Sheriff's

Office has been working diligently to collect every penny it could and that at this time, working with the Sheriff's Office, together, they are recommending that the proposed figure is an appropriate amount to be written off at this time. He explained that the number before the Board represent receivables from calendar year 2005 and earlier. Mr. Wenger suggested the Board approve the amount of \$151,494.70 as a write-off, noting that the Sheriff will continue collection attempts.

Motion: To approve writing off the Sheriff's old receivables from 2005 and earlier, in the amount of \$151,494.70. By Comm. Holden, second by Comm. Clemons. Motion carried.

3. Nursing Home

Census

Mr. Moorehead was recognized. He presented the Nursing Home Census, noting that as of July 26, the Census was 276, which included 209 Medicaid residents, 40 private pay residents, and 27 Medicate Part A residents.

VNA Contract Extension

Mr. Moorehead informed the Board that the VNA contract expires tomorrow, and there are issues that he would like more time to investigate. He recommended that a letter be drafted to extend the contract with VNA of Manchester for thirty days through August 31.

Motion: To approve the extension of the VNA of Manchester contract, which expires August 1, for thirty-one (31) days to Mr. Moorehead to update the contract hospice re-imburement rates. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Moorehead informed the Board that the revenue for the year is \$21,909,284, while the Budgeted FY07 revenue figure is \$21,416,979, resulting in \$492,305 over budget to the good, noting that the amount would have been closer to \$1,000,000 had the ProShare funds not been reduced by \$681,390 below their budgeted amount. Mr. Moorehead indicated that he is still trying to get the information from HHS to understand how they came up with their ProShare calculations.

Draft Towing Policy

Mr. Moorehead brought to the Board's attention the need to address parking safety issues at his facility that occur when violators park in fire lanes, ambulance areas and visitor parking areas inappropriately. He presented the Board with a Draft Towing Policy. Comm. Pappas suggested that the Board review the policy and consider it at its next meeting.

4. Department of Corrections

Census

Mr. O'Mara informed the Board that the Census as of July 26 was 532. He noted that 479 were men, of whom 151 were sentenced, and 328 were being held pre-trial. On the women's side of the house, there were 53 female inmates; 14 were sentenced, and 39 were being held pre-trial.

Bid # FY08-8 – Staff Uniform Set-up Officer/Supervisor

Mr. O'Mara informed the Board that Bid # FY08-8 is for Staff Uniform Set-ups for the Officers and Supervisors, noting that the lowest bidder meeting the specifications is Neptune, Haverhill, MA.

Motion: To approve Bid # FY08-8 – Staff Uniform Set-up Officers/Supervisors, to Neptune, Haverhill, MA, in the amount of \$782.95 for the Officers, and \$753.45 for the Supervisors, noting that it is the lowest responsible bidder, they have no oversize charges, and the FY07 bid prices remain in effect for FY08. By Comm. Holden, second by Comm. Clemons. Motion carried.

Bid # FY08-9 – Facility Security Cameras Service Contract

Mr. O'Mara informed the Board that Bid # FY08-9 is for a service contract for Facility Security Cameras, and requested that the Board exercise their authority under RSA 28:8-e V, to waive competitive bidding because this vendor was the original installer of the equipment.

Motion: To approve Bid # FY08-9 – Facility Security Cameras Service Contract to Pelmac Industries for \$8,400 with a request to waive competitive bidding since it was the installer. By Comm. Clemons, second by Comm. Holden. Motion carried.

Bid # FY08-15 – Facility Filing/Record Storage Service Contract

Mr. O'Mara requested approval of Bid FY 08-15 for Facility Filing/Record Storage Service Contract to Systematics in the amount of \$2,630, as the original installer of the equipment, with the ability to provide parts and service.

Motion: To approve Bid # FY08-15 for Facility Filing/Record Storage Service Contract to Systematics, Westboro, MA, for a total amount of \$2,630, with an additional request to waive competitive bidding under RSA 28:8-e V, noting that Systematics is the manufacturer and installer of the equipment, and it will provide parts and service at this reduced rate. By Comm Holden, second by Comm. Clemons. Motion carried.

Bid FY08-16 – Security Camera Equipment and Install – Perimeter

Mr. O'Mara presented Bid # FY08-16 for the installation of Security Equipment, specifically cameras around the perimeter of the facility to Pelmac Industries at a cost of \$21,579, noting that it is their system that is currently in place, and this bid is to replace those cameras.

Motion: To accept Bid # FY08-16 in the amount of \$21,579 to Pelmac Industries, Auburn, NH, for Security Camera equipment to be installed around the perimeter of the Department of Corrections facility and to waive competitive bidding, as this is an ongoing project and this vendor has supplied all previous equipment. By Comm. Clemons, second by Comm. Holden. Motion carried.

Bid FY08-17 – Water Tank Inspection (Complex)

Mr. O'Mara explained that the next item for consideration is Bid FY08-17 – Water Tank Inspection on the hill, noting that the lowest responsible bidder is Welch's Water Service, of Whitefield, NH at a cost of \$1,700.

Motion: To approve Bid FY08-17 – Water Tank Inspection (Complex), to Welch's Water Service, of Whitefield, NH at a cost of \$1,700, noting that it is the lowest responsible bidder. By Comm. Holden, second by Comm. Clemons. Motion carried.

5. Sheriff's Office

Bid # 08-002 – Three Ford E-350 Cargo Vans, Diesel

P. Flood presented Bid # 08-002 for three replacement Cargo Vans, Diesel powered. The winning bidder is a state bid to John Grappone Ford at \$27,989 each, for a total of \$83,967.

Motion: To approve Bid # 08-002 for the Sheriff's Department for three Ford E350 Diesel Cargo Vans, to John Grappone Ford, Bow, NH at a unit price of \$27,989 each, for a total price of \$83,967. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Clemons inquired about the mileage for the diesel vans. Mr. Flood responded that the Sheriff's Department has one diesel van now that is giving them an additional six to ten miles per gallon over the gas engine vehicles, depending on the time of year. Mr. Flood informed the Board that a gas van would last an average of three years with mileage of 120,000 to 130,000 miles, while a diesel van will last four years with an approximate mileage of 200,000. Additionally, when equipment is transferred from one van to another, there is a cost of \$7,000 to \$8,000 and the vehicle is out of use for approximately one month.

Bid # 08-003 – Ford E350 Extended Cargo Van

P. Flood informed the Board that Bid # 08-003 is for an additional van, not a replacement. The price is \$28,786, noting it is a state bid with John Grappone Ford, Bow, NH.

Motion: To accept Bid # 08-003 for the purchase of one Ford E350 Extended Cargo Van at a price of \$28,786, noting it is at the State bid price. By Comm. Clemons, second by Comm Holden. Motion carried.

Bid # 08-004 – 2008 Chevrolet Impala, Marked

P. Flood explained that Bid # 08-004 is for a 2008 Chevrolet Impala, Marked Cruiser. It is a state bid awarded to Wyman's Chevrolet-Pontiac, Hillsborough, NH. The bid price is \$19,617, noting this is a replacement vehicle.

Motion: To accept Bid # 08-004 for a 2008 Chevrolet Impala, a marked cruiser, to Wyman's Chevrolet-Pontiac, Hillsborough, NH; the unit price is \$19,617, which is the state bid price. By Comm. Holden, second by Comm. Clemons. Motion carried.

Bid # 08-005 – 2008 Chevrolet Impala, Unmarked

P. Flood presented Bid # 08-005 for a 2008 Chevrolet Impala, unmarked, a state bid, to Wyman's Chevrolet-Pontiac, Hillsborough, NH.

Motion: To accept Bid # 08-005 for a 2008 Chevrolet Impala, unmarked, from Wyman's Chevrolet-Pontiac, Hillsborough, NH at a cost of \$18,957, the state bid price.

Bid # 08-006 – Handguns

P. Flood presented Bid # 08-006, noting this will be the balance of their handgun purchase.

Motion: To accept Bid # 08-006- Handguns. This bid includes 18 Sigarms Model 229 Handguns, bid to be awarded to Interstate Arms Corporation, Billerica, MA, for a unit price of \$595.95 and a total price of \$10,727.10. Additionally this bid includes eighteen(18) #070 Duty holsters and Mag Pouches at \$154.95 each, for a total of \$2,711.60, and includes shipping and handling. The last part of this bid includes trade-ins of 11-Smith & Wesson 6906 9mm handguns at \$2,475 and 12-assorted revolvers for \$1,660. The total due is \$9,303.70 to Interstate Arms Corporation. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Clemons inquired how often the Sheriff's Office changes weapons. Mr. Flood responded that the Smith & Wesson handguns were purchased about twelve ago and that he expects to have the new handguns for at least ten years.

6. Old/New Business

Mr. Wenger requested that the Board consider a late bid, # MP-01-2007. He informed the board that the County went out to bid prior to the end of the last Fiscal year for a Wetlands study noting there was money in the 2007 County Complex budget in support of the Master Plan subcommittee. He noted that there is a pending need to map and flag the wetlands on the County's property in order to identify the types of land that is present. He explained that he sent out seven Requests for Proposals, and had received calls indicating interest, however, he received only one bid by the deadline, noting that the bid is a "not-to-exceed" bid, and all costs would be included within the \$25,150 bid. Mr. Wenger recommended that the bid be awarded to Gove Environmental Services as the only bidder, and the lowest responsible bidder. Discussion ensued.

Motion: To approve Bid # MP-01-2007 for a Wetlands Study, to Gove Environmental Services of Exeter, NH at the unit price of \$25,150, a "not-to-exceed" bid, noting it is the only bidder, and the lowest responsible bidder. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Wenger noted that he has tentatively scheduled three outstanding Grievance Hearings for the Nursing Home and recommended that these Grievance Hearings be addressed at the beginning of the next Board meeting on August 15.

Comm. Holden informed the Board that it needs to approve a transfer that was approved by Telephone Poll, which is a transfer from Human Services, Medicaid Account No. 4444-7560 to Board of Commissioners' Legal Expense, Account No. 4130-7200. The amount of the transfer is \$20,000, noting that this transfer is requested to provide for payment of the legal fees associated with pending litigation against the State of New Hampshire relative to the passage of House Bill 02. It is appropriately made from the Medicaid line as that is the area of the budget most impacted by the passage of this legislation.

Motion: To confirm approval of this Transfer by a Telephone Poll. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Pappas noted that this budget transfer was previously tabled on 7/20/2007.

7. Public comments on agenda items

There were no members of the public available for comment.

Comm. Holden requested to go into Non-Public Session and G. Wenger requested two Non-Public Sessions regarding pending leases and litigation. The Board discussed the need to look at an issue the Personnel Commission is considering, and to consider the outstanding Grievant's contract issue with the Nursing Home.

Comm. Holden presented the Board with a report from the 2007 NACo Annual Conference. She served on the Member Programs and Services Committee. That committee addressed:

- Discount dental cards
- Minute clinics – clinics located near hospitals that would provide lower cost walk-in service
- Programs and services for very small counties, such as a Grants Clearing house
- Job description for Steering Committee members

Comm. Holden also provided information regarding the work of the Labor and Employment Steering Committee and the Membership Committee. Comm. Holden noted that the highlights of the Conference included:

- Green Government Initiatives
- Healthy Schools, Healthy Communities and Youth Obesity
- Health Care in County Jails will be studied
- NACo Ends FY06 with a surplus.

Comm. Pappas reported that the County has received a draft proposal from Attorney Dunn regarding the petition for a declaratory judgment, arriving late on Friday.

Mr. Wenger informed the Board that he has the FY07 encumbrances available for the Board and asked for the Board's preference in addressing them.

Comm. Pappas noted that the Commissioners have received packets for the November NACo Conference, encouraging those who are interested to register soon.

8. Non-Public Session

Non-Public Session

Motion: To go into Non-Public session under RSA 91-A:3 II (d) to discuss two issues regarding leases, and also under RSA 91-A:3 II (e) to discuss a litigation issue and the Personnel Commission. By Comm. Holden, second by Comm. Clemons. Holden-yes, Clemons-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public session at 1:55 p.m.

The Board met with Ms. Robinson who brought it up to date regarding discussions with Attorney Dunn relative to pending litigation involving the State.

The Board met with Mr. Wenger who brought them up to date regarding outstanding issue regarding the Women's Prison lease and Bouchard Building second floor. The Board discussed process and parameters. The Board did not take action.

The Board engaged in a discussion of pending personnel issues.

The Board did not take action and returned to public session at 2:30 p.m.

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

Minutes

Motion: To approve the minutes of the following meetings:

July 24, 2007 – Special Meeting

July 11, 2007 – Regular Meeting

June 25, 2007 – Regular Meeting

June 13, 2007 – Regular Meeting

June 05, 2007 – Special Meeting

May 30, 2007 – Regular Meeting

May 16, 2007 – Regular Meeting

April 19, 2007 – Regular Meeting

By Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To seal the minutes of the Non Public Session regarding the Personnel Commission. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To recommend that the Board hear the Personnel Grievance that was brought to the Board by a Nursing Home employee. By Comm. Clemons, second by Comm. Holden. Motion carried.

7. Adjourn

There being no further business for the Board's consideration at this time, a motion to adjourn was accepted.

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

The meeting adjourned at 2:35 p.m.

(SIGNED 7/16/08)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date