

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**August 10, 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, C. Kirby, J. O'Mara, B. Moorehead, D. Reidy, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

**1. Call to Order**

Comm. Holden called the meeting to order at 8:40 a.m.

**2. Pledge to the Flag**

J. O'Mara led the Pledge of Allegiance.

**3. Administrative Business**

Approval of Payroll Registers

The Board reviewed and approved the Payroll Registers.

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

- July 28, 2011 in the amount of \$5,255.48
- August 1, 2011 in the amount of \$10,086.19
- August 2, 2011 in the amount of \$3,748.16
- August 4, 2011 in the amount of \$3,569.21

for a total miscellaneous payroll of \$22,659.04, subject to review and audit. Comm. Holden seconded the motion. Motion adopted.

**Motion:** Comm. Pappas moved to approve a regular payroll dated August 4, 2011, in the amount of \$1,138,336.09, subject to review and audit. Comm. Holden seconded the motion. Motion carried

Approval of Accounts Payable Registers

The Board reviewed and approved the Accounts Payable Registers.

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

- August 28, 2011 in the amount of \$525.83
- August 29, 2011 in the amount of \$904.41
- July 20, 2011 in the amount of \$51,198.03
- August 9, 2011 in the amount \$5,005,527.67

for a total Accounts Payable of \$5,006,955.91, subject to review and audit. Comm. Holden seconded the motion. Motion adopted.

In response to a question from Comm. Holden, Mr. Wenger explained that the large Accounts Payable register included 2.2 million dollars, which was paid to the NH Division of Human Services and 2 million dollars was paid to the Department of Revenue Administration.

#### CIS Bid # 05-2012 – New County Internet Access

**Motion:** To approve Bid # CIS 05-2012 for Internet Access for the County; it is a single source bidder consistent with RSA 28:8-e V and the recommended bidder is Comcast Business, Manchester NH; the amount is \$409 per month. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Wenger explained that the County is moving its internet service to Comcast Business; they are the only entity in this area that can provide the level of service that the County requires. He further added that the Nursing Home is also using Comcast Business for its internet access and its paperless project.

#### 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. O'Mara presented the DOC Census. He noted that as of August 2, 2011, the Census was 533, which included 468 men of whom 356 were being held pre-trial and 112 that have been sentenced. There were 64 women of whom 44 were being held pre-trial and 20 that have been sentenced.

##### Bid # FY12-61 – Market Forge 300 BTU Steam Kettle Boiler

Mr. O' Mara presented Bid # FY12-61, noting that it is for a Steam Kettle Boiler in the kitchen; it is a Market Forge 300 BTU and the lowest bidder meeting the specifications is Aable Restaurant Equipment, Concord, NH in the amount of \$7,064.90.

**Motion:** To approve Bid # FY12-61; and to award the bid to Aable Restaurant Equipment, Concord, NH noting that it is the lowest bidder; their bid is \$7,064.90. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Comm. Ziehm joined the meeting.

##### Administrative Transfer of Inmate

Mr. O' Mara explained that he wished to notify the Board of an inmate transfer from Merrimack County; he added that Merrimack County is holding 3 inmates for Hillsborough County.

#### 6. Nursing Home

##### Census

Mr. Moorehead presented the Nursing Home Census and explained that as of August 4, 2011, the census for the Nursing Home was 277 total patients/residents; there were 193 Medicaid residents, 54 self pay residents, and 29 Medicare Part A residents; additionally, there is one bed being held.

##### Position Request Change

Mr. Moorehead requested that the Board approve a position change. He explained that this is a change to the positions presented to the Board on August 5; seven additional therapy positions were approved of which one was a full-time Occupational Therapist. He added that today he is requesting that that the newly approved Occupational Therapist position be changed to an additional Physical Therapist position because the current

need is related to Physical Therapy and added that there is no change in the rate. Mr. Moorehead indicated that the Occupational Therapist position under discussion is position # 302131003.

**Motion:** To approve a position change from Occupational Therapist position # 302131003 to a full time Physical Therapist. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

#### Bid # 01-2012 – Laptop & Desktop Computers

Mr. Moorehead presented Bid # 01-2012 and explained that this bid is for a Laptop and a Desktop Computer that will be used in the Therapy Department and is related to the hiring of additional staff and the paperless project; he added that the lowest responsible bidder is GovConnection, Rockville, MD, at a price of \$1,729.52.

**Motion:** To approve Bid # 01-2012 for Laptop & Desktop Computers at the Nursing Home; the lowest responsible bidder is GovConnection, Rockville, MD, at a price of \$1,729.52. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Mr. Wenger added that funding for this purchase is from the funds set aside in the Capital Reserve Fund designated for the paperless project.

**Motion:** To authorize Mr. Moorehead to expend funds for Bid# 01-2012 from the Capital Reserve Fund. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

#### Bid # 04-2012 – Fuel Oil

Mr. Moorehead presented Bid # 04-2012, which is for Fuel Oil for the Nursing Home, the Department of Corrections, and the County Complex. He recommended Sprague Energy as the vendor for the Nursing Home at a price of \$2.91 per gallon and Hanscom Truck Stop for the County Complex and the Department of Corrections at a price of \$3.15 per gallon. He noted that the prices rose after the price was locked in. He further noted that the budgeted price for fuel oil at the Nursing Home is \$2.95 per gallon; the Department of Corrections and the Complex were budgeted at \$3.50 per gallon, so this will save money over the course of the year.

**Motion:** To approve Bid # 04-2012 for fuel oil for the Nursing Home to Sprague Energy, Portsmouth, NH, at a price of \$2.91 per gallon for the Nursing Home, and to approve Hanscomb Truck Stop, Portsmouth, NH at a price of \$3.15 per gallon for the County Complex and the Department of Corrections. She indicated that both vendors are the lowest responsible supplier. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

#### July Revenue

Mr. Moorehead indicated that it was his intention to provide information relative to July's revenue at today's meeting; however, there have been software issues relative to exporting billing files from Rehab; he will provide the information at the next Board meeting.

### 7. County Attorney

#### Bid # CA 2012-01 – High Density Mechanical Assist Compact Shelving System

P. Boardman presented Bid # CA 2012-01 on behalf of the County Attorney's office. She noted that this bid is for a High Density Mechanical Assist Compact Shelving System. She added that this was addressed and approved 3 years ago, but was put on hold pending the Court's move back to Manchester, which is anticipated to be October 17<sup>th</sup>. Mr. Wenger added that funding was approved in the previous fiscal year's budget. She added that this is a single source bidder consistent with RSA 28:8-e V; it is also a State bid with a discount

through U. S. Communities at a considerable savings. A similar system is currently in use at the DOC and at the Nashua County Attorney's office.

**Motion:** To approve Bid # CA 2012-01 for a High Density Mechanical Assist Compact Shelving System, noting that the Vendor, Systematics, is a State vendor with additional discounts available through U S Communities and because of the County's membership in NACO. She recommended that the contract be awarded to Systematics at a price of \$65,457. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

#### UNH School of Law-Federal Work Study Agreement

Ms. Boardman requested that the Board approve renewal of a contract with the University of New Hampshire School of Law for a Federal Work Study Program; the program benefits the County Attorney's office in that it provides students who are paid \$12/hr. and are paid by UNH Law, who in turn bills the County Attorney's office for 25% of their wage; UNH Law covers the remaining 75%. She explained that the students can work up to 20 hours per week during the semester and added that the County Attorney's office has used this arrangement twice in the past two years; the money is funded through their Consulting Expense line, should they choose to have a student on board. She explained that approving the contract does not carry an obligation to utilize one of the law students, but it keeps options open, particularly with the respect to the recent budget cuts.

**Motion:** To approve the University of New Hampshire School of Law Federal Work Study Program Agreement with the County Attorney's office and to authorize the Chair to execute the agreement on behalf of the Board. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

### 8. Old/New Business

#### 300 Chestnut Street

Mr. Wenger informed the Board that as a result of a discussion with Mr. Lorenzon the previous day, it is his understanding that the date for moving the Superior Court North back to 300 Chestnut Street has been moved back 2 weeks. He added that the State has a bid out for its move to be done on October 17<sup>th</sup>. Mr. Wenger added that he anticipates that the County will make its move on October 17<sup>th</sup> or 18<sup>th</sup>, and the Court is anticipated to open on October 20<sup>th</sup>.

Mr. Wenger explained that there were 3 items that needed to be approved:

- purchase of the filing system, which was addressed with the previous bid,
- purchase of office furniture and cubicles, and
- to submit requests for bids for a mover

Mr. Wenger added that he anticipated that he would have bid information relative to the furniture and cubicles for this meeting, but was unable to do so. He added that he would prefer to move forward to get the order in as soon as possible, subject to the Board's approval at its next Meeting; he noted that the funds were set aside during the last budget process for this project. Discussion ensued relative to the State bid and the cost savings.

#### NHAC Annual Convention

Mr. Wenger informed the Board that he forwarded an email with registration information relative to the NHAC Annual Conference and employee awards to all Departments. He explained that the conference is being held in North Conway this year; he noted that September 23<sup>rd</sup> is the deadline for early registrations. Comm. Pappas added that Comm. Holden and Ms. Robinson were nominated to the Bylaws Committee for the coming year. Mr. Wenger added that Comm. Pappas, as former President, is chairing the Nominations Committee.

Mr. O' Mara informed the Board that the DOC has 10 Correctional Officer vacancies at this time; that does not include those on Military Deployment, Medical Leave of Absence, and 1 Long Term Suspension; the facility is operating with a deficit of approximately 14 Correctional Officers. He added that the hiring process is ongoing and expressed his appreciation of Human Resources' help; he added that there are a sufficient number of interested applicants to run an in-house Academy versus utilizing NHAC.

Mr. O' Mara informed the Board that since January 1<sup>st</sup>, the DOC has had 107 requests from outside law enforcement agencies for information, data or recordings that the facility had in its possession to be used to assist in prosecuting or arresting people for alleged wrongdoings.

Mr. O' Mara informed the Board that the DOC currently has 2 pregnant women in custody; one is not eligible for bail because of 2 felony burglary counts. The second is not eligible for bail and is an IV heroin user who is 7 months pregnant; she is a real concern because she has had no prenatal care during her term. Mr. O' Mara communicated that, based on a stalking charge; the facility has a returning dialysis patient who requires dialysis Tuesdays, Thursdays, and Saturdays. He added that two Correctional Officers are required to transport and stay with the inmate during the dialysis process.

Mr. O' Mara observed that the horticultural program has yielded 28 bushels of zucchini, 18 bushels of squash, 17 ½ bushels of cucumbers, 5 bushels of beans, and 3 bushels of tomatoes. He added that ratatouille is on the menu and noted that by the end of the harvest season, it is estimated that the program will save the facility in excess of \$10,000.

Mr. O' Mara added that he is pleased to share with the Board that the new boilers have been fired up and are anticipated to be running well by the start of the heating system; the funds became available as a result of Stimulus funds and the efforts of Mr. Wenger who secured a grant.

Mr. O' Mara remarked that Hillsborough County Department of Corrections, for the fifth year in a row has been randomly selected by the Federal Government for an audit pursuant to the Prison Rape Elimination Act. He explained that when the facility was randomly selected for the first time five years ago, they worked with Attorney Kirby to make certain that the facility remained secure and safe while vendors hired by the Federal Government came into the facility to perform the audit. He added that it takes place in the gymnasium; the staff is completely removed from the process and those who come in are invited to visit the housing units where they make an announcement asking if anyone would like to come to the gym to be interviewed. He added that the process has worked well and there has been nothing to report thus far. He observed that it is interesting to note that while they audit the Hillsborough County facility; all the Federal prisoners in New Hampshire are in Strafford County.

Mr. O' Mara informed the Board that the DOC's teacher in the Education Department had a son who was deployed; he was her only son. He had retired from the military but took a job with one of the subcontractors. He was due to return home this week, but was killed last week. Mr. O' Mara provided information relative to funeral arrangements.

#### Registry of Deeds

Register Coughlin distributed information relative to July Revenue. She noted that Tax Stamps are up as a result of commercial and residential sales for July; she added that the trend is continuing for August; the document count is down, but Tax Stamps are up. She explained that the increase in Tax Stamps is due to the sale of some large commercial properties.

Mr. Moorehead informed the Board that the US Department of Labor concluded its audit of the Nursing Home; he noted that the audit process took 8 weeks and included 5 or 6 onsite visits, numerous phone calls from offsite, and interviews of staff. He explained that an exit conference took place last week; there were not any wage adjustments or violations of the Labor Laws.

D. Reidy informed the Board that the UH Cooperative Extension's most senior educator, Julia Steed Mawson, is retiring the following month after 34 years of service, 21 of which has been with Hillsborough County. Mr. Reidy added that any who would like to attend are invited to a reception that will be held on Saturday, August 20<sup>th</sup>. The Board expressed its sincere appreciation to Ms. Steed Mawson and executed a certificate of appreciation that read: *"On behalf of the citizens of Hillsborough County, we wish to extend hearty congratulations and say thank you to Julia Steed Mawson for her 21 years of dedicated service to all of the citizens of this great County, especially its youth. Your tireless efforts will be remembered by those you have served since your days of Pine Island in Manchester, and all the days since then here at the Hillsborough County Complex in Goffstown."*

Ms. Robinson addressed issues that were discussed at a recent County State Finance Commission meeting including recalculation of the Cap for FY 12; which is down from the budgeted amount. She explained that the new Cap is \$29,181,274.17, which represents a reduction of approximately \$300,000 to \$400,000 over what was budgeted. She went on to explain that an ARRA distribution of \$986,097.64 for the Nursing Home for the final quarter has not yet been paid; it should be paid by mid-August. She added that an additional payment to the Nursing Home and the MQUIP and ProShare payments for FY 12 and how they may affect Nursing Home revenue.

Ms. Robinson informed the Board that there was discussion relative to the State billing process; she noted that there was an objection to the fact that there are 3 Counties that are making deductions from their State bills; she added that because of Hillsborough County's deduction, the County did not reach its Cap and she has been working with the State of NH for several months to attempt to resolve some of the billing issues and the differential of 1.3 million dollars. She added that they acknowledge that corrections needed to be made, but they object to making any corrections. It is the State's opinion that every County should just pay its Cap.

Ms. Robinson relayed information relative to the change in payments to hospitals. She informed the Board that approximately 600 positions were lost at DHHS and the substance abuse programs have been cut in half because it was not a mandated service. Ms. Robinson explained that there was a discussion about Care Management Services; she added that she will have a handout available that she will distribute to the Board.

Mr. Wenger informed the Board that there is a Nursing Home grievance scheduled for the Board's September 21<sup>st</sup> meeting; he asked for and received confirmation that at this time, all 3 Commissioners intend to be present.

Comm. Holden explained that she received a copy of a letter from the Goffstown Planner, B. Rose, regarding zoning of County land. She noted that he is suggesting that if the County wished to do something easy and useful relative to commercial use of a building, a possible alternative would be to re-zone it to the Town's existing CIF Zone, which allows for a larger scale business park, commercial services, light industries, and similar uses in areas where access is available to arterial and collective streets. She added that a CIF Zone is intended to encourage commercial, industrial and service uses to the mutual advantage of both consumers and merchants thus promoting public convenience and prosperity; she added that mixed residential, and non-residential uses are allowed. She added that this is the closest that the Town of Goffstown has for a mixed use district, and it is Mr. Rose's suggestion that this would be a good start. Mr. Wenger added that this is a discussion the Board could have relative to its reorganization. He added that the Board has funds in the County Complex budget as a next step to do studies relative to zoning. He added that the Board may wish to ask the Town to go forward with a Warrant Article at the next election that would change the zoning for the County's parcels of land from farming to an existing zone that would allow alternative things. He added that So. NH Planning Commission has offered to assist with a study; any fee would likely be less than using a private vendor. The Board discussed a potential zoning change and how it would impact the County's use of the land and buildings. Mr. Wenger noted that the Executive Committee and Delegation did not fund the Capital Reserve Account; he added that the zoning issue should be addressed at the Board level before pursuing a change.

There was discussion relative to County reorganization, and the need to look at where the County wishes to go. Discussion included:

- the ongoing reorganization effort
- consideration of the land and buildings, and where the Board wants to go
- definition of what the Board sees as reorganization
- what is the Board's approach
- how does it wish to operate going forward
- how will the County address a 4-6 million dollar deficit in FY13
- how will the Board address revenues
- what is the Executive Committee's expectation relative to reorganization
- the possibility of the Board Chair meeting with the Chair of the Executive Committee
- layoffs and terminations as they relate to Departmental reorganization
- what budget will the Board put forward for the next fiscal year
- will the Board address County Policies & Procedures
- how will the Board address the lease renewal for the Women's Prison
- opening communication with the Executive Committee
- education opportunities for Delegation members to achieve better understanding of County operations.
- moving the location of Board meetings to other Departments
- suggesting that the Executive Committee move the location of its meetings to other Departments in the context of education
- consideration of moving the Registry of Deeds to the County Complex

Mr. O' Mara observed that at the last Executive Committee meeting, there was representation that the Board has done nothing relative to reorganization; he noted that it is his belief that it is important that the minutes reflect that on June 23<sup>rd</sup>, immediately following the Delegation meeting, the Board convened a meeting sometime after 9:00 p.m., to address reorganization. At that meeting, one Department was prepared to present the Board with a reorganization plan; the Board reviewed that plan including an organizational chart that reflected present operation as well as one that would become effective on July 1<sup>st</sup>. He added that the July 1<sup>st</sup> organizational chart showed a reduction of \$786,333 and it was also a reduction of 15 positions, 8 of which were full time, 3 were ¾ time, and 4 were ½ time positions. He added that of those positions, only 2 part-time employees were uniformed positions assisting with operations at the jail. He added that the Board should be aware that the cuts were not entirely at the line level; there was a Sr. Manager position that was eliminated, and there 6 middle management positions eliminated. He added that it was his wish to share this information with the Board and to note that this was a significant reorganization. Mr. O'Mara informed the Board that he has provided them with a copy of the old and the new organization chart.

Comm. Ziehm added that the Executive Committee and the Delegation did not see all of the work that was done by the Departments to reduce the budget, and added that these were part of the reorganization. Mr. Wenger noted that the Board also executed a number of employee termination letters at that meeting. He added that discussions continue relative to reorganization.

Mr. Moorehead explained that Nursing Home reorganization affected 22 employees. There were:

- 6 employees that were moved from full-time in one position to full-time in another position at the same grade
- 4 employees who went from part-time to being terminated
- 4 employees who went from full-time to part-time
- 5 employees who went from full-time to full-time at a lower grade
- 2 employees who went from full-time to terminated
- 1 employee who went from part-time to full-time at the same grade

He added that after the aforementioned changes were made, and a summary was compiled, it was determined that 1 employee will be returning who had terminated as a full-time LNA, and will be returning now that she has received her license, and 1 part-time employee will be returning to a full-time position as a Rehab liaison.

Mr. Moorehead indicated that he calculated that year-to-date, he and his staff have expended approximately 400 hours of time, not including time in meetings with the union, to reach the point that the staffing is at currently; he explained that is a conservative approximation. He added that the cuts that were made to the advertising budget, that he was not aware of until a week ago, have delayed the process because they were told they could not advertise in the newspaper because there was no funding available. Mr. Moorehead explained that it is difficult to get Physical Therapists, and they are critical because they will generate the revenue that is necessary to meet the increased revenue budget. Mr. Wenger added that he will address the advertising issue with Mr. Moorehead and Ms. Chandler. He noted that Jobs in NH has been successful in the past. Discussion ensued relative to the critical nature of hiring Physical Therapists and how to address advertising issues. Mr. O'Mara offered that even if Mr. Moorehead transfers \$1, through the budget transfer process, it may be possible to educate the Executive Committee regarding its actions in cutting the Human Resources advertising budget and the ramifications that action has upon the Nursing Home. Mr. Moorehead added that the Nursing Home Director of Rehab will be able to obtain a list of graduates who are licensed Physical Therapists in the State of NH, and recruitment letters can be sent to them, but that will take time.

Register Coughlin submitted information regarding reductions in her department; she added that the Registry is still undergoing change; she will reevaluate the process every couple of weeks.

Mr. Wenger added that each Department has gone through something different; he offered that the Board may wish to develop a written explanation of what reorganization has been done since June 23<sup>rd</sup> that would include a summary of what has been done in each Department and deliver it to the Executive Committee at the end of the year. The Board was in agreement that Mr. Wenger should prepare a document.

Discussion continued relative to the Board's direction and the need to address the challenges discussed earlier in the meeting as well as clarifying what are the aspects of a reorganization that the Board wishes to address. Mr. Wenger suggested that the Board continue its discussion at the next meeting and look to positively establishing subcommittees to distribute the work.

Mr. Moorehead informed the Board that Elliot Hospital laid off 163 employees; most were not direct caregivers. He added that if CMC followed with layoffs, which could have a positive effect on hiring at the Nursing Home.

Mr. Moorehead informed the board that Rockingham Ambulance has discontinued its service after many years.

## **9. Public Comment**

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

## **10. Non-Public Session**

No one requested an opportunity to meet with the Board in Non-Public Session.

There were several requests to consult with Counsel. Comm. Ziehm entertained a motion to recess.

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

The Board moved into Recess at 10:55 a.m.

The Board moved out of Recess at 12:24 p.m.

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

Mr. Wenger informed the Board that the Business Office will be filling the temporary position through September 25<sup>th</sup> due to an ongoing medical leave.

## 11. Adjourn

There being no further business, Comm. Ziehm entertained a motion to adjourn.

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

The meeting adjourned at 12:25 p.m.

*Approved August 24, 2011*

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

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Date