

Regular Meeting of the
Hillsborough County Board of Commissioners
August 20, 2014
Bouchard Building, Goffstown, NH
Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Pappas, Comm. Holden, J. Hardy, P. Coughlin, D. Dionne, G. Fisher, L. Gero, C. Kirby, B. Moorehead, D. Reidy, M. Rioux, E. Robinson, M. Castonguay, G. Wenger and L. Stonner

Call to Order

Comm. Pappas called the meeting to order at 9:01 a.m. Attorney Kirby led the Pledge of Allegiance.

NH AFSCME Grievance # PM-0725

Mr. Wenger indicated that the Union has given written notice that it has withdrawn the Grievance.

Administrative Business

Minutes

Comm. Holden requested deletion of the last sentence of Paragraph 4 on Page 4 of the minutes of August 6, 2014 that reads: "*The Board agreed that Comm. Pappas would be appointed.*" Comm. Holden noted that she did not agree, adding that the Board did not make a motion or take a vote; no action was taken.

Further discussion ensued. Comm. Pappas noted that it is not unusual for the Board to have a consensus without a vote, and it was her understanding that there was a consensus. Comm. Holden added she did not agree and that it could be discussed again at the next Board Meeting. Comm. Pappas noted that award nominations are already coming to her, and the Association has been notified that she would represent Hillsborough County. Mr. Wenger noted that the notice has already gone out and nominations have come in. Comm. Pappas indicated that she would continue to work on nominations, and in September, at the next Board meeting, a vote can be taken.

Motion: To approve the minutes of the Hillsborough County Board of Commissioners meeting held on August 6, 2014, subject to removing the sentence that reads, "*The Board agreed that Comm. Pappas would be appointed.*" Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Approval of Payroll Registers

Motion: To approve Miscellaneous Payroll registers for the following amounts on the following dates:

8/6/14	\$1,782.47
8/14/14	623.66
8/18/14	624.30

for a total of \$3,030.43, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve a Regular Payroll register dated August 14, 2014 in the amount of \$1,119,915.87, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Approval of Accounts Payable Register

Motion: To approve an Accounts Payable register dated August 19, 2014 in the amount of \$993,836.90, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2015-01 – Contingency to Corrections

Motion: To approve Transfer # 2015-01 to transfer the amount of \$15,219 from Contingency-Salaries & Wages, line 4199-7010, and to transfer the amount of \$12,254 to Corrections, Salaries & Wages, and to transfer the amount of \$412 to Corrections-Social Security, line 4230-7100, and to transfer the amount of \$2,553 to Corrections-Retirement, line 4230-7130 for a total transfer of \$15,219; the transfer of the funds is consistent with the Collective Bargaining Agreement approved by Hillsborough County Delegation on June 19th between the DOC and Teamsters Local #633. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Public Comment on Agenda items

There was no one present who wished to comment on Agenda items.

Department of Corrections

Census

Supt. Dionne presented the Department of Correction's census. He noted that as of August 12, 2014, the total in custody was 477. It included 379 men and 98 women; 143 of the men had been sentenced and 236 were awaiting trial; 45 of the women had been sentenced and 53 were awaiting trial. The DOC had 16 in the Community in day-reporting programs.

Supt. Dionne reported that the Department of Corrections also is holding 31 female inmates from Rockingham County, and there are 123 individuals in the diversionary Mental Health program; 62 are from Manchester and 61 are from Nashua.

Overtime Impact Report

Comm. Pappas noted that the Overtime Impact Report is included in the Board's packet.

Bid # FY 15-30 – Call Box System

Motion: To approve to approve Bid #FY15-30 for a Bogen Intercom/Call Box System for the Department of Corrections, and to award the bid to Williams Communications, Portsmouth, NH, noting that it is the lowest responsible bidder meeting the specifications at a cost of \$15,612. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

County Attorney's Department

Bid # CA2015-02 – Copy Machine

Motion: To approve Bid # CA2015-02 for a Copy Machine for the County Attorney's office, and to award the bid to Conway Office Products for a Konica-Minolta C654e, noting that it is the lowest responsible bidder at a cost of \$10,143 for the proposed solution and the lowest maintenance costs, and it is the current vendor. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Registry of Deeds

Revenue Update

Register Coughlin distributed an unaudited income statement and informed the Board that July was a busy month. Mr. Wenger noted that July of this year is \$50,000 below July of the previous year.

Sheriff's Department

Bid # 2015-02 – New Equipment

Motion: To approve Bid # 2015-02 for new equipment for the Sheriff's Department; the proposed vendor is Irwin Automotive, Laconia, NH for:

- 2015 Ford Police Utility at the price of \$26,958
- 2015 Ford Police Utility at a price of \$26,958
- 2015 Ford E-350 Van at a price of \$27,124

Comm. Holden noted that this is the lowest responsible bidder at a total cost of \$81,040 for the 3 vehicles. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Old/New Business

NHAC Conference Planning

Mr. Wenger reported on the results of the recent planning meeting for the fall conference. He noted that the group accomplished a great deal; Peggy Danais from NHAC joined the group and added clarification about what the County needs to do and what it can do for the Conference. He added that the following was discussed:

- The structure and time table of the Conference with a goal of encouraging greater participation
- Securing a comedian
- Sessions-what and when
- Lunch & Banquet and incorporating recognition and awards
- Sponsor for Breakfast
- Affiliate meetings and the annual general meeting
- Training sessions
- Competition and games between Counties after the Banquet

Mr. Wenger added that the group is hoping to distribute the agenda by early September and asked the Board to give consideration to the Commissioner's desires and the involvement they want to have with the conference. He added that he is planning to come back to the Board with a proposed report for the Executive Committee of the Association the Friday following the Board's next meeting. Ms. Robinson added that the planning group liked the idea of a shopping bag. She noted that Primex will be bringing both the shooting and the driving simulators.

Mr. Wenger added that there are other awards for which the County can recommend a person or company. Discussion ensued regarding possible awards.

Comm. Holden spoke about Waters of the U.S. and explained that EPA is trying to take the word “navigable” out of the definitions of Waters of the U.S.; she added that if that effort is successful, EPA would control all water including ditches, ponds and every puddle. She added that she will send a letter against this effort to Nancy Stoner, Acting Administrator of the EPA.

Mr. Wenger noted that employee award nominations are due in the Commissioner’s Office by September 5th.

Mr. Wenger referred to the Draft RFP for Real Estate Services and suggested that the Board address the draft when Comm. Ziehm returns.

Mr. Wenger noted that he has the MS-45 form that needs to be signed by the Clerk. The Board opted to appoint a temporary Clerk so that the document can be signed in a timely manner; it is due September 1st.

Motion: To appoint Comm. Pappas as temporary Clerk for the purpose of signing the MS-45 form. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Nursing Home

Census

Mr. Moorehead reported that the Census at the Nursing Home as of August 14, 2014 was 279 residents; there were 206 Medicaid residents, 31 Private Pay residents and 42 Medicare Part A or managed care residents.

Mr. Moorehead informed those present that today is the 100th birthday of Marie Sletterink, a resident at the Nursing Home.

Mr. Moorehead distributed the unaudited July Revenue. He explained that the budget for room and board and ancillaries was \$1,930,454 and the July actual was \$1,976,751, which resulted in a positive variance of \$46,297.

Mr. Moorehead reported that there is a slight GI bug on Unit A-1, adding that there have been 4 cases over the weekend and 2 additional cases the previous evening. He noted that it seems to be a one-symptom, one-occurrence event and then it diminishes.

Mr. Moorehead informed the Board that he attended a Medicaid Managed Care organization meeting with the Nursing Home affiliate and the N.H. Healthcare Association the previous Monday. Discussion centered on the status of Phase II with comments on Phase I. He added that:

- Phase II open enrollment will occur from October through mid-December
- If eligible people are not enrolled during that time, they will be assigned a plan between December 15th and January 1st.
- The effective date of Phase II is scheduled for April 1st.
- He questioned when the rates that are negotiated between the Nursing Homes and the MCO’s (Managed Care Organizations) be available
- There are numerous issues that the MCO’s (Managed Care Organizations) don’t have answers to because of lack of information from the State, including:
 - who will calculate rates
 - what will happen with ProShare

- what will happen with MQIP (bed tax)
- how Physicians will be treated
- how will medications be handled
- there are still problems with wheelchair transports handled through the MCO's for Medicaid patients
- we still don't know what the contracts with the MCO's look like, nor do we know what they cover, so it is impossible to have patients choose a plan in October or November when we don't know what is covered

Mr. Moorehead added that while at the meeting, he suggested sending a letter that the affiliate could utilize to go to each County's Commissioners and Delegations that will address the concerns raised at the meeting. He expressed his concern because it is unknown how the rates will be calculated, i.e.:

- will they be calculated on cost, on acuity, or both
- how will they measure it
- will they continue to use the MDS and then have the MDS data filter through a group that then is assigned to do a case mix index; he added that they simply do not know, and the State is apparently not sharing information...perhaps because they don't know.
- There was no knowledge how atypical patients will be treated (those with behavioral issues), and currently, those patients are paid at approximately \$45/day over the Medicaid rate for long term care; that equates to about \$500,000 in revenue.

He added that he was "volunteered" to do the Draft letter, further adding that his recommendation will be that Phase II is delayed for at least a year. He added that if the rates kick in April 1st, those rates will affect the last quarter of the Hillsborough County's 2015 fiscal year and could have a major effect.

Mr. Wenger enquired if the MCO's are basically becoming an insurance company, and that they will be evaluating the bills to see what will be paid. Mr. Moorehead responded that the Nursing Homes will be paid through the MCO's; he added that one of the CEO's from an MCO said that his understanding relative to the rates is that the State will have a number; deducted from that number will be the expectation of savings with managed care; the balance of that would be the number they use to calculate the rates for all the facilities. The MCO's are for-profit entities and the savings will be theirs. Mr. Moorehead added that he is very concerned because there are so many unknowns. It was noted that the County could anticipate a cash flow issue for the last quarter of FY 2015 if the rates go into effect on April 1st.

Mr. Moorehead noted that he attended a recent Governor's Commission meeting regarding managed care at which time Commissioner Toumpas indicated that the State will not implement Phase II until ready; he added that he is hoping that means that the rates will not kick it in until the Nursing Homes are ready.

Public Comment

There was no one present who wished to comment

Non-Public Session

Motion: To move into Non-Public Session with Attorney Kirby and Mr. Moorehead consistent with RSA 91-A 3 II (a), to consult with Counsel on a litigation. Motion by Comm. Holden, second by Comm. Pappas. Holden-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public Session at 9:52 a.m.

The Board met with Attorney Kirby and Mr. Moorehead.

The Board returned to its regular meeting at 10:04 a.m.

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

Comm. Holden offered a motion:

Motion: To authorize Legal Counsel to authorize settlement on a Nursing Home case under the terms discussed. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Pappas asked if the Board had further business to discuss

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

Adjourn

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

The meeting recessed at 11:05 a.m.

Approved on September 3, 2014

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date