

Regular Meeting of the
Hillsborough County Board of Commissioners
August 25, 2010
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. C. Holden, Comm. M. Clemons, L. Movsesian, C. Kirby, B. Moorehead, J. O'Mara, D. Reidy, M. Castonguay, G. Wenger, and L. Stonner.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 10:00 a.m., followed by the Pledge to the Flag led by L. Movsesian.

2. Administrative Business

Commissioner Pappas noted that the Board would address administrative business at this time.

Minutes

June 24, 2010 Delegation Meeting

Motion: To approve the minutes of the, June 24 Delegation Meeting, noting that all three Commissioners attended the meeting. By Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Payroll Register

Motion: To approve the Payroll Register dated August 9, 2010 in the amount of \$1,195,185.18, subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Approval of Accounts Payable Registers

Motion: To approve the Accounts Payable Register dated August 24, 2010 in the amount of \$553,812.70, subject to review and audit. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Sheriff's Extraditions

Motion: To approve the Sheriff's Extradition dated July 9, 2010 in the amount of \$26.00, and to approve Sheriff's Extradition dated June 30, 2010 in the amount of \$3.50, noting that they have already been approved by the County Attorney. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

3. Public Comment on Agenda Items

There was no one present who wished to address agenda items.

4. Department of Corrections

Census

Supt. O'Mara presented the DOC Census, noting that as of August 20, 2010, the Census was 578, which included 522 men of whom 353 were being held pre-trial and 169 that had been sentenced. There were 56 women of whom 33 were being held pre-trial and 23 that had been sentenced.

Bid # FY11-61 - Milnor Washing Machines (2)

Supt. O'Mara presented Bid # FY11-61, which is for two 100-pound Milnor Washing Machines. He explained that Yankee Equipment is the lowest responsible bidder and it will take the existing machines to sell on consignment, and the proceeds will be credited to the account.

Motion: To approve Bid # FY11-61 for two 100-pound Milnor Washing Machines to Yankee Equipment, noting that it is the lowest responsible bidder and it will take the existing machines to sell on consignment, and the proceeds will be credited to the account. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

5. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census and explained that as of August 19, 2010, the census for the Nursing Home was 285, which included 212 Medicaid residents, 46 private pay residents, and 27 Medicare Part A residents. He also reported that the Nursing Home has a full house.

Mr. Moorehead referred the Board to the unaudited Revenue sheet for July. He noted that the budgeted revenue for the month was \$1,683,196 while the actual revenue was \$1,681,917 resulting in a negative variance of \$1,279, and explained that this was primarily due to the Medicare Census being down, but it is picking up again.

Mr. Moorehead informed the Board that he has the Annual License renewal form, and requested that the Chair sign the license form; Comm. Pappas agreed to sign on behalf of the Board.

Mr. Moorehead requested a Non-Public session later in the meeting.

6. Old/New Business

Comm. Holden noted that she received notification from Ms. Robinson that Mr. Harrington is not available to meet with the Board and Incentive Fund Committee on the October dates as previously suggested by the Board. Following discussion, the Board agreed to offer to meet on September 8th and 9th; the Board agreed to start its regularly scheduled Board meeting at 8:30 on September 8th, and be available for the Incentive Fund Committee for 10:00 a.m. Mr. Wenger will email Ms. Robinson with the information.

Mr. Wenger informed the Board that he held discussion with Ms. L. Bistany relative to CDBG funds and explained that she did contact Rockingham County as discussed at the Board's last meeting relative to working together for the grant application; however, Rockingham County cannot apply for any additional CDBG funds for this year. Mr. Wenger added that Ms. Bistany indicated that the Town of Merrimack has some interest in participating, and the City of Nashua may be able to access \$100,000 in Economic Development funds. He informed the Board that Ms. Bistany has asked that the Board indicate the

amount that the County can contribute and was looking for a commitment of \$250,000; she will look to other alternatives for the remaining \$250,000.

Comm. Clemons asked Mr. Wenger to provide an opinion relative to this grant and Ms. Bistany's request; Mr. Wenger explained that he just that morning learned of a possible grant opportunity through the County Attorney's office and noted that in light of this potential he could not recommend going above \$200,000. The Board discussed the amount with differing points of view. Comm. Clemons favored approving the \$200,000 request and noted that this would be very beneficial to his District. Comm. Pappas noted that it would be beneficial to the County if the business and the jobs remained in the County. Comm. Holden added that she would favor approval at the \$150,000 level, noting that this is a pass through of funds. She inquired if the County would be responsible for the tracking; Mr. Wenger noted that at this time it is unclear as the makeup of the final package has not been determined but if the County were to be responsible, the \$25,000 fee would cover County costs.

Motion: To designate \$175,000 from Contingency for the CDBG grant application. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Holden indicated that she will go to the Town of Merrimack to sit in on the meeting where the grant will be discussed.

Mr. Wenger requested a Non-Public session later in the meeting to discuss a personnel issue.

There was discussion relative to the cover letter that will accompany the Charrette reports that the Commissioners will deliver to the Towns and Cities.

Comm. Holden referred to the letter from Counsel relative to the Wilton Heritage Commission's request that the County maintain a land-locked cemetery that it owns in Wilton, although the County was not aware of the cemetery.

Attorney Kirby noted that the position of the Wilton Heritage Commission is that the County should maintain the cemetery. Attorney Kirby suggested that an appropriate first step would be for the County to contact the abutting landowners with a request to access the cemetery through their property. She noted that if this step fails, the County could enter into litigation for the purpose of establishing access rights.

The Board agreed that an appropriate first step would be to ask for access to the land. Attorney Kirby noted that the earlier deeds do refer to a County Cemetery but there are no points and boundaries that delineate an easement. She noted that the Wilton Heritage Commission's position is that this is a resting place and that respect should be shown to those who are resting there. The Board agreed to a letter being sent requesting access to the cemetery.

Supt. O'Mara informed the Board that the cemetery was for paupers, as is the cemetery behind the County Complex in Goffstown. He noted that the graves on the Complex property are numbered and do not have names on them.

Mrs. Castonquay reported that the next Executive Committee meeting will be held at 9:00 a.m. on the 4th Friday in September (Sept. 24th).

7. Public Comments

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

8. Non-Public Session

Comm. Pappas indicated that the Board would move into Non-Public session, and entertained a motion.

Motion: To enter Non Public Session with Mr. Moorehead and Attorney Kirby consistent with RSA 91-A:3 II (c), regarding a matter which, if discussed in public, would affect the reputation of a person, and with Mr. Wenger from the Business Office consistent with RSA 91-A:3 II (a) regarding a personnel issue. Motion by Comm. Holden, second by Comm. Clemons. Pappas-yes, Clemons-yes, Holden-yes. Motion carried.

The Board moved into Non-Public Session at 10:33 a.m.

The Board met with Mr. Moorehead and Attorney Kirby and was apprised of a situation at the Nursing Home. No action was taken.

The Board met with Mr. Wenger who discussed a request to utilize vacation time. No action was taken.

The Board moved out of Non-Public Session at 10:55 a.m.

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

Comm. Pappas asked the Board if it wished to take any action.

Motion: To grant the request relative to a vacation as presented by Mr. Wenger, noting that this is a non-precedent setting action. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Reidy joined the meeting. Comm. Holden suggested that the Board give consideration to recommendations contained in the Charrette report. She suggested three areas to consider:

- Timbering
- Rail to Trail location
- Existing Buildings for leasing

Comm. Clemons agreed with the recommendations and inquired how the Board would like to handle any requests that a Commissioner might receive relative to development of County property. Following discussion, the Board agreed that a letter should be sent to the Board in care of Mr. Wenger that outlines the plan. The Board would have an opportunity to meet and discuss any proposals and could invite any potential developer to do a presentation to the Board if deemed appropriate.

After discussion, the Board agreed on the following actions:

- Mr. Reidy will review J. Nute, County Forrester's previous timbering plan with him to determine if it will be necessary to update it. Mr. Wenger will provide a copy of the original plan to the Board for its next meeting.
- Comm. Holden and Mr. Reidy agreed to try to attend the next Rail to Trail meeting.
- Mr. Wenger will develop potential language for an RFP regarding the existing building for the Board consideration.

Comm. Pappas discussed the trestle that spans the Piscataquog in west Manchester that, if completed, would connect the Manchester and Goffstown rail trails; she noted that Mayor Gatsas indicated that funds are not available for completion of the trestle.

Comm. Holden noted that the Administrative Building and the Cow Barn are areas for potential development. Following discussion relative to getting information out and developing an RFP, the Board identified opportunities for communicating that information, which included online information, sharing the information with the Design Team, and getting the word out to the Towns and Cities. Mr. Reidy observed that the Board may wish to decide what it does/does not want in terms of development.

The Commissioners, Mr. Reidy, and Mr. Wenger discussed the difficult County Government process that a developer would have to go through and whether it would be possible to streamline the process. The Board acknowledged that it could be in a position of supporting a development project only to have the Delegation fail to consider it, and discussed that it will take money and patience on the part of a developer before any project is approved. Mr. Wenger raised the issue of the renewal of the lease for the adjacent Women's Prison, noting that it has to be approved by both the State and County, if renewed.

9. Adjourn:

Comm. Pappas asked the Board if it wished to address any other business.

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

The meeting adjourned at 11:22 a.m.

Signed September 8, 2010

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date