

Regular Meeting of the  
Hillsborough County Board of Commissioners  
August 27, 2008  
Hillsborough County Nursing Home, 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, G. Wenger, B. Moorehead, J. O'Mara, E. Robinson, P. Flood, M. Rusch, Rep. L. Movsesian and L. Stonner

**1. Pledge to the Flag**

Comm. Pappas called the meeting to order at 9:00 a.m. followed by the Pledge to the Flag led by Comm. Holden.

**2. Minutes**

August 13, 2008

**Motion:** To approve the Board meeting minutes of August 13, 2008. By Comm. Clemons, second by Comm. Holden. Motion carried.

Mr. Moorehead requested that the Board amend the minutes of July 16, which were approved on July 31. He referred the Board to Page 3, at the paragraph below "June Revenue", line 5, which currently reads:

*He also referred the Board to the \$305.13 Medicare figure, noting that is exceptional as it has been between \$390 and \$405.*

Proposed change: *He also referred the Board to the \$305.13 Medicare figure, noting that this rate is low; the Medicare average rate has been between \$390 and \$405 per day, per month.*

**Motion:** To approve the change, as read by Mr. Moorehead. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Moorehead requested a second change at Page 3, in the last paragraph, at the third line from the end, which reads:

*Mr. Moorehead explained that in 2009, the Federal Government would be expanding the psychosocial social service attention and/or discharge planning which will create much more work for the Social Workers when processing admissions.*

Proposed change: *Mr. Moorehead explained that in 2009, the Federal Government would be expanding the psychosocial service admission and/or discharge planning, which in turn will create much more work for the Social Workers when processing MDS's (Minimum Data Sets).*

**Motion:** To approve the change, as read by Mr. Moorehead. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Moorehead proposed a final change at Page 4, in the sentence below the second motion which reads:

*Mr. Moorehead indicated that he hopes to have estimated annual revenue at the next meeting.*

Proposed change: *Mr. Moorehead indicated that he hopes to have estimated annual revenue projection at the next meeting.*

**Motion:** To approve the clarification, as read by Mr. Moorehead. By Comm. Holden, second by Comm. Clemons. Motion carried.

#### Budget Meetings

The Board addressed the minutes of the 2009 Budget Hearings.

**Motion:** To approve the Budget Hearing meeting minutes of April 7, 2008. By Comm. Holden, second by Comm. Clemons. Motion carried.

**Motion:** To approve the Budget Hearing meeting minutes of April 10, 2008. By Comm. Clemons, second by Comm. Holden. Motion carried.

**Motion:** To approve the Budget Hearing meeting minutes of April 14, 2008. By Comm. Holden, second by Comm. Clemons. Motion carried.

**Motion:** To approve the Budget Hearing meeting minutes of April 18, 2008. By Comm. Clemons, second by Comm. Holden. Motion carried.

**Motion:** To approve the Budget Hearing meeting minutes of April 28, 2008. By Comm. Holden, second by Comm. Clemons. Motion carried.

**Motion:** To approve the Budget Hearing meeting minutes of April 29, 2008. By Comm. Clemons, second by Comm. Holden. Motion carried.

**Motion:** To approve the Public Hearing meeting minutes of May 5, 2008. By Comm. Holden, second by Comm. Clemons. Motion carried.

### 3. Business Office

#### Approval of Payroll Registers

**Motion:** To approve the Payroll Register dated 08/21/08 in the amount of \$1,101,737.14, 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 08/26/08, in the amount of \$917,327.50 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

#### Sheriff's Extraditions

**Motion:** To approve the Sheriff's Extradition expense dated 7/18/08 in the amount of \$2,188.97, noting that it has been approved by the County Attorney. By Comm. Clemons, second by Comm. Holden. Motion carried.

#### Request for Cell Phones

Mr. Wenger requested that the Board consider approval of four cell phones, three of which were for the Sheriff's Office and one for the CIS Department. He noted that the three for the Sheriff's Office were approved last year but were not brought forward to the Board for approval, and the other for the CIS Department is in this year's budget.

**Motion:** To approve the request for four cell phones – three for the Sheriff's Office and one for the CIS Department. By. Comm. Holden, second by Comm. Clemons. Motion carried.

#### 4. Department of Corrections

##### Census

Supt. O'Mara presented the Department of Corrections' Census dated August 12, 2008. He reported that the DOC is holding 569 Inmates in custody. There are 511 men, which includes 170 that have been sentenced and 341 that are being held pre-trial. There are 58 women, which includes 16 that have been sentenced and 42 that are being held pre-trial.

##### Bid # FY09-78 – Secure Knife Cabinet

**Motion:** To approve Bid # FY09-78 for a Secure Knife Cabinet to Cook's Direct, Lisle, IL, in the amount of \$1,650 noting that it is the lowest responsible, and only bidder. By Comm. Holden, second by Comm. Clemons. Motion carried.

Supt. O'Mara provided the Board with information regarding a packet that was mailed to a prisoner in an effort to highlight the security issues faced on a daily basis at the facility. He explained that the package appeared to come from the Public Defender's Office in Manchester, yet the civilian staff noticed that while it was sent from Manchester, it had a Laconia postmark. He noted that the person sending the mail was aware that "legal" mail is not opened except in the presence of an inmate. He further noted that customarily, because this type of mail is privileged, it might get a cursory inspection. In this situation, Staff called the Inmate down to the office for the package to be opened. Mr. O'Mara showed the packet to the Board; it had a square section cut out in the middle of the packet, in which illegal drugs were discovered. Supt. O'Mara informed the Board that the DOC has contacted the Postmaster General as well as the Manchester Police Department. The DOC has prohibited the Sender from visiting the facility in the future, which is the only action that it can take. He further noted that the DOC telephone system has a tape which indicates the prisoner coercing the sender to do this act, and that all the technology that has been put in place is truly paying off. He noted that the DOC has 10 requests a week for CD's to be burned of inmate conversations. Supt. O'Mara reported that inmates are informed through the inmate handbook that their calls will be recorded. They are also informed over the phone, in both Spanish and English, that calls will be recorded, and there is an audio prompt before the connection is made that says, "Your phone call will be recorded." He noted that Judge Brennan has handed down a decision that cited each of these notifications, and has allowed this information to be discoverable; it is welcomed in his Court. He noted that other Counties have used this decision as well.

Recognition for an outstanding volunteer at the DOC was discussed. There was a recent newspaper article about him and he has been recognized nationally. He will be recognized by the Commissioners at the next Board meeting.

## 5. Nursing Home

### Census

Mr. Moorehead was recognized. He presented the Nursing Home Census, noting that as of August 21, the Census was 277, which included 202 Medicaid residents, 44 private pay residents, and 31 Medicare Part A residents.

### Bid # FY 02-2009 Fuel Oil

Mr. Moorehead presented Bid # FY 02-2009 for Fuel Oil at the Nursing Home, the DOC and the Bouchard Building. He indicated that prices are subject to change from the date quoted (8/25) and noted that M. Lencki called the bidders this morning. With the hurricane approaching the Gulf, all vendors' prices jumped today. The vendors recommended waiting until this "blows over," therefore, Mr. Moorehead recommended tabling this bid for a week or two until finding a day when the price warrants it being locked in.

Supt. O'Mara inquired if the current years' price was locked in until the new contract is in effect. Mr. Moorehead responded that each location has received its full allotment for the current year and has enough fuel to last until approximately October.

There was discussion regarding tabling the motion. Comm. Clemons asked regarding a point of order, inquiring if it could be voted by phone poll if it was tabled. Comm. Holden responded that it would require two motions, one to take it off the table and a second to approve the bid. Mr. Wenger noted that both motions could be done by a Telephone Poll.

**Motion:** To table Bid # FY 02-2009 for Fuel Oil and to address it at the appropriate time by Telephone Poll. By Comm. Clemons, second by Comm. Holden. Motion Carried.

## 6. Sheriff's Office

### Bid # 2009-09 – Storage Container for Ammunition

**Motion:** To approve Bid # 2009-09 for a Storage Container for Ammunition for the Sheriff's Office in the amount of \$2,080, to Marc Fortin Storage Company, Londonderry, NH. Motion by Comm. Clemons, second by Comm. Holden.

Discussion ensued. Comm. Holden asked if this was the lowest responsible bidder. Mr. Flood responded that it was the lowest responsible bidder and the best overall deal; it actually exceeds specifications; it is the best container; it is freshly painted, and the company will add extra locks for the Sheriff's Office.

Motion carried.

### Bid # 2009-12 – Portable Radios for Superior Court Bailiffs

**Motion:** To approve Bid # 2009-12 for Portable Radios for Superior Court Bailiffs, to Wright Communications in the amount of \$3,995, noting that this is a State bid. By Comm. Holden, second by Comm. Clemons. Motion carried.

## **7. Public Comment on Agenda items**

No one was present from the public to address the Board.

M. Rusch reported that the next Executive Committee meeting is scheduled for Friday, September 26 at 9:00 a.m.

Comm. Pappas suggested that the remaining Agenda items be discussed so that the business at hand could be conducted before the Dedication of the Resident Lounge.

## **9. Old/New Business**

E. Robinson informed the Board that there is an air quality issue being addressed at Temple Street. Complaints come from a group of employees who work in the basement. The issue raised is relative to mold.

Ms. Robinson indicated that she has contacted J. Lawrence Hall to change all the air filters, noting that this is done quarterly. She indicated that she has inspected the location; she could not smell any mold; there was no visible mold, and the air quality appeared fine.

She noted that there were complaints relative to air quality in 1997 that were addressed then. It was discovered that employees had blocked off vents, which contributed to the problem at that time. Inspectors came in and there was a lot of work done to alleviate the issue; however, there was no real issue at that time. A smoking room was eliminated upon the recommendation of the Inspectors.

Ms. Robinson noted that she felt that it was important to take some proactive action and to notify the Board. The contractor, J. Lawrence Hall, will go over the system. Comm. Clemons asked if any employees reported having a health problem. Ms. Robinson noted that one employee reports having a cough. The Board asked Ms. Robinson to document any issues and remain vigilant. She has notified the employees that the system will be checked and asked them to make certain that none of the vents have been blocked or closed.

Comm. Pappas noted that today is the deadline for County Government Award Nominations for the Annual Conference and thanked those who have submitted nominations. Discussion ensued regarding Conference details including agenda, room costs and pre-registration. Comm. Pappas noted that the information is available online at the NH Association of Counties website.

Mr. Wenger noted that he has received the State's response to the County's counter proposal regarding the extension of the Chestnut Street lease for the two-year period. The State has agreed to the change in relation to continuing to provide the County information about the air quality, but they have not agreed to tie in the County staff along with the State's staff in relation to a move; however, they will keep the County advised and are fully aware of the need to have the two together. He noted that the State is looking to finalize the lease and hopes that it can go to the Executive Council in September. The Board agreed to take the issue under advisement.

Mr. Wenger discussed the next proposed Primex meeting with the Board. The decision was made to meet with Primex on September 10 prior to the Board meeting scheduled for that day, and to move the Board meeting one hour later, to 10:00 a.m. One of the Commissioners will meet with Primex and Mr. Wenger.

Mr. Wenger informed the Board that he has a request for a Non-Public session under RSA 91-A:3 II (a) and RSA 91-A:3 II (a) to discuss personnel issues.

Supt. O'Mara noted that the County Attorney Kirby is in Hillsborough County Superior Court North today representing the Department of Corrections in relation to an inmate issue.

Non-Public session

The Board agreed to move into Non-Public session.

**Motion:** To move into Non-Public session with the County Administrator under RSA 91-A:3 II (a) and RSA 91-A:3 II (a) to discuss personnel issues. By Comm. Holden, second by Clemons. Clemons-yes, Holden-yes, Pappas-yes. Motion carried.

The Board entered Non-Public session at 9:32 a.m. The Board met with Mr. Wenger to discuss a personnel matter within the Business Office. The Board concurred with his intent to adjust a work schedule.

The Board moved out of Non-Public session at 9:42 a.m.

**Motion:** To move out of Non-Public session. By Comm. Clemons, second by Comm. Holden. Clemons-yes, Holden-yes, Pappas-yes. Motion carried.

Mr. Wenger updated the Board in relation to the Goffstown District Court project. He noted that the contractor continues to be on schedule; the steel beams for the Courtroom were installed last week. He is meeting with the contractor and subcontractors in relation to key access, security and some of the State requirements.

Comm. Clemons inquired if there had been any disruption of the County offices. Mr. Wenger noted that there has been some dust and some noise, but these issues were easily addressed. There have not been any employee complaints to his knowledge.

There being no further business before the Board, the Chairman entertained a motion to adjourn.

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

There was discussion that a recess would be more appropriate since the Dedication of the Nursing Home Resident Lounge was an item on the Agenda.

**Motion:** To withdraw the previous motion to adjourn. By Comm. Holden, second by Comm. Clemons. Motion carried.

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

The Board recessed to the Nursing Home Resident Lounge for the dedication of the lounge at 9:45 a.m.

## **8. Dedication of Nursing Home Resident Lounge**

Mr. Moorehead opened the dedication ceremony, followed by congratulatory speeches from Commissioners Pappas, Holden and Clemons. A ribbon-cutting ceremony was held with a resident cutting the ribbon.

## 10. 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 10:20 a.m.

*(SIGNED 9/10/08)*

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Comm. Michael Clemons, Clerk  
Hillsborough County Board of Commissioners

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Date