

Regular Meeting of the
Hillsborough County Board of Commissioners
September 14, 2016
Bouchard Building, Goffstown, NH
Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Ziehm, Comm. Pappas, Comm. Rowe, D. Dionne, G. Fisher, L. Gero, C. Kirby, M. Lencki, B. Moorehead, D. Reidy, G. Wenger, M. Castonguay, C. Monier and L. Stonner

CALL TO ORDER

Comm. Ziehm called the meeting to order at 10:30 a.m.

Those present recited the Pledge of Allegiance.

ADMINISTRATIVE BUSINESS

Approval of Minutes

Motion:

To approve the minutes of the Board of Commissioner's Regular Meeting held on August 18, 2016.
Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Supplemental Payroll

Motion:

To approve the Supplemental Payroll registers for the following dates in the following amounts:

08-23-16	\$3,520.31
08-24-16	\$ 487.36
08-24-16	\$1,999.04
08-31-16	\$ 537.63
08-31-16	\$ 975.00
09-08-16	\$1,920.65
09-12-16	\$1,264.44

The total Supplemental Payroll is \$10,704.43, subject to review and audit.
Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Regular Payroll

Motion:

To approve Regular Payroll Registers for the following dates in the following amounts

08-25-16	\$ 1,144,231.66
09-08-16	\$ 1,129,231.85

The total Regular Payroll is \$2,273,463.51, subject to review and audit.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Accounts Payable

Motion:

To approve the following Accounts Payable Registers for the following dates in the following amounts:

08-18-16	\$ 1,130.00
08-22-16	\$ 10,897.06
08-30-16	\$ 2,196,106.31
09-02-16	\$ 160,898.76
09-13-16	\$ 4,426,135.78

The total Accounts Payable is \$6,795,167.91, subject to review and audit.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Sheriff's Extradition Vouchers

Motion:

To approve the following Extradition Vouchers for the following dates in the following amounts, noting that they have previously been approved by the County Attorney:

07-18-16	\$ 118.40
07-25-16	\$ 142.10
07-25-16	\$ 810.76
07-27-16	\$ 319.72
08-03-16	\$ 95.97
08-08-16	\$ 189.46

The total Extradition Vouchers is \$1,676.41, subject to review and audit.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

PUBLIC COMMENT ON AGENDA ITEMS

There was no one from the public who wished to comment on Agenda Items.

DEPARTMENT OF CORRECTIONS

Census

Supt. Dionne presented the Department of Correction's (DOC's) Census; he noted that as of September 6, 2016, the total in custody was 450, which included 19 in the community. The Census included 365 men; 119 of the men had been sentenced and 246 were being held pre-trial. There were 84 women; 26 of the women had been sentenced and 58 were being held pre-trial. Supt. Dionne noted that the Department of Corrections was holding 20 female inmates from Rockingham County. He informed the Board that 159 individuals were diverted through the Mental Health Courts including 89 from Manchester and 70 from Nashua.

Overtime Impact Report

Supt. Dionne noted that the DOC's Overtime Impact Report is included in the Board's packet.

Administrative Transfer – Rockingham County

Supt. Dionne requested Board approval for an Administrative Transfer of a male inmate that was originally held at Rockingham County, but was then transferred to Strafford County where he was involved in a fight with another inmate. Subsequently, Strafford County requested that he be removed from its facility. Rockingham

County then called Hillsborough County with a request to transfer him to its facility. Supt. Dionne is requesting approval of the Administrative Transfer.

Motion:

To approve Supt. Dionne's request to accept the administrative transfer of an inmate from Rockingham County to Hillsborough County's facility.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Part-Time Correctional Officer Positions

Supt. Dionne presented a request to create 10 part-time Correctional Officer positions to address the overtime crisis at the DOC. He explained that currently the Department has 32 full-time Correctional Officer positions that are vacant (out of a 103 positions). This significant number of vacancies impacts existing staff by creating overtime issues that are either filled voluntarily, require additional shifts for employees, or by mandating that an individual employee stay over. Several employees are currently working 4 additional shifts per week in order to fill such openings. To reduce the amount of overtime that the Department is currently experiencing, he is requesting 10 additional part-time Correctional Officer positions.

Supt. Dionne noted that staff is leaving for jobs that are paying more and for different schedules that make their life better with their families. During exit interviews many staff expressed an interest in continuing to work for the Department on a part-time basis for additional income or to help address the issue. Currently the Department has several Correctional Officers that have returned to the Department on a part-time basis; they have proven to be an asset to the Department because it reduces the number of shifts that need to be filled. A savings is also realized because these wages do not have to be paid at the time and one-half overtime rate. The addition of 10 part-time positions will have no impact on the Department budget as the positions will be funded at \$1 each, and should they be filled, the funds can be found within the current budget due to staff vacancies. While it is unlikely that all positions will be filled at one time, it will allow the Department flexibility with its hiring and scheduling.

Following a discussion, the Board moved in support of the request.

Motion:

To approve ten (10) new part-time correctional officer positions to be funded at \$1, subject to Executive Committee approval.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Supt. Dionne requested an opportunity to meet with the Board in Non-Public Session relative to a personnel issue pursuant to RSA 91-A:3 II (a).

NURSING HOME

Census

Mr. Moorehead provided Census information for the Nursing Home. He noted that the Census, as of September 8, 2016 was 284; it included 213 Medicaid residents, 35 private pay residents and 36 Medicare, Part A residents. He added that the Census as of today is at capacity; there are no empty beds in the building.

Request to Fully Fund Account Clerk II Position

Mr. Moorehead requested Board approval for a Full Time Clerk II position (#400712002) that is funded at \$1 in the current budget. He noted that it is his belief that the current budget will cover the funds required for the position. He noted that the reason for making the change from a part-time employee to a full-time employee is

related to the implementation of a CMS (Center for Medicare & Medicaid Services) Payroll Budget Journal (PBJ) which in turn has added an additional 16 hours of work each week to complete the submission of the payroll information required by CMS on a daily basis. The PBJ not only includes employees and caregivers but also physicians, dentists and other service providers coming into the building. Mr. Moorehead noted that the PBJ is an unfunded requirement that is very time-consuming to complete.

Discussion ensued regarding whether the aforementioned position is benefit-eligible. Mr. Moorehead responded that it will be a 40 hour position. Therefore, it is a benefit-eligible position.

The Board moved in support of the request.

Motion:

To approve the Nursing Home Administrator's request to fund the Full Time Account Clerk II position (#400712002) that is funded in the FY 2017 budget at \$1.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Bid # 01-2017 – Ford F-350 Dump Truck with Plow

Motion:

To approve Bid # 01-2017 for a Ford F-350 Dump Truck with Plow for the Nursing Home; the lowest responsible bidder meeting the specifications is Graponne Ford, Bow NH, at a price of \$44,052.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Bid # 02-2017 – Low Pressure Mattress System (5)

Motion:

To approve Bid # 02-2017 for 5 Low Pressure Mattress Systems for the Nursing Home; the lowest responsible bidder meeting the specifications is Geriatric Medical, Woburn, MA, at a price of \$2,802 each and a total price of \$14,010.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Bid # 03-2017 – Fully Electric Beds (4)

Motion:

To approve Bid # 03-2017 for 4 Fully Electric Beds for the Nursing Home; the lowest responsible bidder meeting the specifications is NOA Medical Industries, Washington, MO, at a price of \$1,435 each and a total price of \$5,740.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Mr. Moorehead explained that the funds for the next 3 bids will come from the Nursing Home Capital Reserve Account and will require Executive Committee approval

Bid # 04-2017 – New Parking Lot Paving & Sealcoating

Motion:

To approve Bid # 04-2017 for paving and sealcoating the new parking lot at the Nursing Home; the lowest responsible bidder meeting the specifications is Hooksett Paving, Hooksett, NH, at a price of \$48,728. Bid approval is subject to the Executive Committee's authorization to expend the funds from the Capital Reserve Account.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

In response to a question from Comm. Ziehm, Mr. Lencki noted that only 1 bidder responded to the RFP. He explained that the bid covers paving for the new parking lot as well as filling cracks and seal-coating other areas.

Bid # 05-2017 – A-1, A-2, & B-2 Bathroom Renovation

Motion:

To approve Bid # 05-2017 for the renovation of bathrooms A-1, A-2, & B-2 at the Nursing Home; the lowest responsible bidder meeting the specifications is AD Ceramic Tile, Marlborough, NH, at a price of \$70,773. Bid approval is subject to the Executive Committee's authorization to expend the funds from the Capital Reserve Account.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

In response to a question related to having only one bid, Mr. Lencki noted that 17 RFP's were sent out, but only one vendor responded. Mr. Moorehead noted that this bid will cover renovating approximately half of the bathrooms in the facility.

Bid # 06-2017 – A-1, A-2, & B-2 Bathroom Fixtures

Motion:

To approve Bid # 06-2017 for bathroom fixtures for Units A-1, A-2, & B-2 for the tub rooms that are being renovated at the Nursing Home; the lowest responsible bidder meeting the specifications is Central/Goulet Supply, Manchester, NH, at a price of \$14,132.76. Bid approval is subject to the Executive Committee's authorization to expend the funds from the Capital Reserve Account.

Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Revised Year-to-Date FY 2016 Revenue

Mr. Moorehead presented a revised Year-to-Date Revenue for FY 2016. He explained that the State issued surplus Medicaid funds to the Nursing Home in late September which positively affects Hillsborough County Nursing Home's FY 2016 budget by \$57,307.25. The revised unaudited budget for Revenue for Room & Board and ancillaries for FY 2016 was \$30,986,367 while the actual was \$31,204,606, which results in a positive variance of \$218,239 for FY 2016.

August Revenue

Mr. Moorehead presented the Nursing Home Revenue for August. He noted that budgeted Revenue for Room & Board and ancillaries for August was \$1,981,057 while the actual was \$1,968,003, a deficit of \$13,054. The deficit relates primarily to future approval of pending Medicaid.

FY 2017 Revenue Year-to-Date

Mr. Moorehead presented Year-to-Date Revenue for FY 2017. He explained that the budgeted Revenue for Room & Board and ancillaries for FY 2017 through the end of August was \$3,962,114 while the actual was \$3,994,505, a positive variance of \$32,391. He noted that there is no ProShare or Bed Tax reflected in the numbers as of this time.

OLD/NEW BUSINESS

1115 Waiver Update

Mr. Wenger informed the Board that both Region 3 and Region 4 are actively attempting to proceed with their projects by the end of October. He referred to a discussion at the NH Association of Counties meeting during the previous week regarding the \$150,000,000 grant and the appropriation of those funds and that there is an appropriation of \$19,500,000 that has been designated for County use. He noted that it is his understanding that discussions are ongoing regarding these funds and how they will ultimately be used. He added that the Federal Waiver budget indicates that those funds are designated as “capacity building,” and noted that it is important for the Board to be aware of how the funds will be distributed and utilized by the Counties.

Comm. Ziehm expressed her concern that the NHAC President’s position during discussions with DHHS may not reflect the position of all NH Counties. She suggested that the Board consider developing a position paper recommending that all Counties’ positions be represented by the President of the Association. Mr. Wenger noted that approximately half of the Administrators met with the Dupont Group after the earlier meeting; the issues of the Association’s position and how it was reached was the primary topic of discussion.

Supt. Dionne indicated that he agreed with Comm. Ziehm’s position and noted that it is his belief that decisions were made between the President and DHHS behind the scenes and no other County was included. There was a consensus that the President should be representing all the Counties. Comm. Ziehm noted that Hillsborough County pays significant dues and added that if it is not represented, it should perhaps reconsider if it wishes to continue to belong to the Association. Discussion ensued regarding the pros and cons of belonging to the Association.

Comm. Ziehm noted that the dues have been reduced for the current year. Discussion ensued regarding the imbalance of voting members from County to County and how a small County could have more voting members than a larger County. Further discussion was held regarding the apportionment of dues, the basis for that calculation, and how Hillsborough County and other Counties are represented.

Attorney Kirby noted that a bigger issue is the potential impact of Senate Bill 553 because that represents a large amount of money; she added that the biggest cost of all DHHS legislation has always been borne by Hillsborough County.

NHAC Conference & Member List

Mr. Wenger provided the NHAC Member List for 2016; it included Elected Officials, Appointed County Officials and Department Heads. He added that the Conference Agenda is available.

CDBG - Memorandum of Agreement

Mr. Wenger noted that construction is starting at the YMCA.

CDBG Subrecipient Agreement

Mr. Wenger added that a Memorandum of Agreement and Subrecipient Agreement require Board ratification.

Annual Audit

Mr. Wenger informed the Board that the County’s auditors have begun work on the FY 2016 audit with a visit to the Nursing Home. He noted that in conjunction with that visit, he had the opportunity to meet with Ms. Dorr

to discuss how the County has been addressing the Nursing Home as a separate Propriety Fund for reporting purposes within the annual audit. Further to that discussion he explained that the County could consolidate its funds for reporting purposes if it found a benefit in doing so. He offered that after discussing the County's position and the opportunities to change its practices with the Ms. Dorr, he could find no compelling benefit or reason to recommend a change at this time. He offered that as the County moves forward its audit practices should be monitored and should a time come when it would be in its best interest to make a change action could be taken. A brief discussion followed. No further action was taken at that time.

Annual Tax Apportionment

Mr. Wenger provided the Hillsborough County Tax Apportionment for 2016 as provided by the NH Department of Revenue Administration.

Mr. Wenger informed the Board that he had been copied on a Request for Qualifications that has been published by the Superior Court relative to the administrative operation of the Hillsborough County North Drug Court. He noted that this is a continuing step in the State's effort to implement the Drug Court. He explained that it is his understanding that the process is working toward an October implementation timeframe.

Mr. Wenger noted that he met with the Department of Corrections, Sheriff's Department and County Attorney's Department the previous week to start an initial County discussion regarding Felonies First and identifying issues that County Departments face.

Mr. Wenger noted that he recently met with representatives of Norwood Realty relative to the County Complex properties and which space to focus initial efforts on. He added that initial efforts will focus on cleaning out the Administration Building and the available space on the second floor of the Bouchard Building. He added that there may be a request to expend funds as soon as the following month, and he is hopeful that he will have a marketing agreement for the Board's consideration at a future meeting. Comm. Ziehm requested that Mr. Moorehead contact Catholic Medical Center to see if it has any interest in the front building. Mr. Moorehead indicated that he will contact CMC today.

There was discussion about the benefits of leasing the 2nd floor of the Bouchard Building to a State agency because there would be no tax implication or change to the County's tax status.

Mr. Wenger informed the Board that he visited the SB 553 working group website and has the agenda for the next meeting and the dates of upcoming meetings; he will provide that information to the Board.

Mr. Wenger explained that the NH Retirement System has published new rates for the period of July 1, 2017 through June, 30, 2019; the Group I rate is up .2% and the Group II rate is up 3.05%.

Mr. Moorehead noted that he no longer needs to meet in Non-Public Session.

Mr. Moorehead suggested that in relation to the County developing a position paper (discussed above), it would be worthwhile to read a letter in today's editorial section of the Union Leader written by Brendan Williams, who is the new President of the NH Healthcare Association. It addresses how insurance companies are bailing out of exchanges for Medicaid and further speaks to problems other States are facing after implementing Managed Care/Medicaid into the Nursing Home sector. He indicated that it essentially says that the MCO's are saving money by not paying the bills.

NON-PUBLIC SESSION

Motion:

To move into two Non-Public Sessions consistent with RSA 91-A:3 II (e) relative to litigation and then to meet in Non-Public Session consistent with RSA 91-A:3 II (a) relative to a personnel issue.
Motion by Comm. Pappas, second by Comm. Rowe. Pappas-yes, Ziehm-yes, Rowe-yes. Motion carried.

The Board moved into Non-Public Session at 11:53 a.m.

The Board met with Attorney Kirby, Mr. Wenger, and Supt. Dionne relative to notice of a potential claim received and forwarded to Primex.

The Board met with Supt. Dionne relative to a personnel issue.

No action was taken during Non-Public Session.

The Board moved out of Non-Public Session at 12:05 p.m.

Motion:

To come out of Non-Public Session.
Motion by Comm. Pappas, second by Comm. Rowe. Pappas-yes, Ziehm-yes, Rowe-yes. Motion carried.

ADJOURN

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

Motion:

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

The Board of Commissioners Meeting adjourned at 12:06 pm.

Approved on September 28, 2016

Comm. Toni Pappas, Clerk
Hillsborough County Board of Commissioners

Date