

Regular Meeting of the
Hillsborough County Board of Commissioners
September 19, 2012
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. Holden, Comm. Pappas, D. Dionne, C. Kirby, B. Moorehead, M. Rusch, D. Reidy, G. Wenger, and L. Stonner.

1. Call to Order

Comm. Ziehm called the meeting to order at 9:01 a.m.

2. Pledge to the Flag

Attorney Kirby led the Pledge of Allegiance.

3. Administrative Business

Minutes:

Motion: To approve the minutes of the Board of Commissioner's meeting held on August 10, 2012. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve the minutes of the Board of Commissioner's meeting held on August 22, 2012. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve the minutes of the Board of Commissioner's meeting held on September 5, 2012. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Approval of Payroll Registers

Motion: To approve the following Miscellaneous Payrolls in the following amounts on the following dates:

- September 7, 2012 \$2,354.91
- September 11, 2012 275.40
- September 13, 2012 1,191.23
- September 13, 2012 1,727.12

for a total of \$5,548.66, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve a Regular Payroll Dated September 13, 2012, in the amount of \$1,145,718.19 subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Accounts Payable Registers

Motion: To approve the Accounts Payable Register dated September 18, 2012 in the amount of \$4,281,635.06, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Sheriff's Extradition Vouchers

Motion: To approve Sheriff's Extradition Vouchers for the following dates, in the following amounts:

- July 11, 2012 \$125.69
- July 20, 2012 \$ 47.61
- July 24, 2012 \$160.05
- July 27, 2012 \$177.84
- Aug. 14, 2012 \$148.72
- Aug. 17, 2012 \$172.95

for a total Extradition expense of \$823.86, noting that the extraditions were previously approved by the County Attorney. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Correction - Accounts Payable Register

Mr. Wenger explained that at the Board's last meeting, there was a motion to approve an August 4th, 2012 Accounts Payable Register in the amount of \$3,670,804.61; he explained that was actually a scrivener's error; the date of that Accounts Payable is September 4, 2012. He requested that the Board rescind the prior action of approving an Accounts Payable on August 4th in that amount and move to approve an Accounts Payable Register dated September 4, 2012 in the same amount.

Motion: To rescind the approval of the Accounts Payable Register dated August 4, 2012 in the amount of \$3,670,804.61. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve an Accounts Payable Register dated September 4, 2012 in the amount of \$3,670,804.61. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Transfer 2013-02 – UNH Cooperative Extension

Motion: To approve Transfer # 2013-02 for UNH Cooperative Extension to transfer from the following 4611 lines: Salary & Wages, Social Security, Unemployment Taxes, Health & Accident, Retirement Contribution and Insurance-Workers Comp/Liability a total of \$111,362 and to transfer a like amount to Other Fees & Outside Services, line 4611-7290. Motion by Comm. Holden, second by Comm. Pappas.

Mr. Reidy explained that during the budget process, there was discussion about transferring the two Administrative Assistants into the UNH system; this transfer relates to the process as intended. Mr. Wenger added this is a clerical adjustment, noting that the Executive Committee and Delegation approved the change but never moved the appropriated funds to the appropriate line for expenditure.

Motion carried.

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. Dionne presented the Department of Correction's Census. He noted that the Census as of September 11, 2012 was 540; he explained that the Census includes 437 men, of whom 162 had been sentenced and 275 that were being held pre-trial; there were 103 women, of whom 39 had been sentenced and 64 that were being held pre-trial. He added that 37 of those females are from Rockingham County. Supt. Dionne informed the Board that there are a total 137 individuals that were diverted through the Mental Health Courts; he added that there are also 12 serving their sentence in the community.

Commissioner's Certification Board

Supt. Dionne reported that 14 individuals graduated from the Hillsborough County Department of Corrections' Correctional Officer Training Academy the previous Thursday and requested the Commissioner's signatures on the graduation certificate.

Administrative Transfers of Inmates

Supt. Dionne informed the Board that he is requesting approval of the transfer of a male inmate from Merrimack County.

Motion: To approve the Administrative Transfers of an inmate from Merrimack County. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Holden noted that she would like to return to the Hillsborough County Department of Corrections' Correctional Officer Certificate to read the names of the graduates into the public record. She read:

Having successfully completed the requirements pursuant to the Hillsborough County Department of Corrections' Correctional Officer Certification Policy (A-129), and set forth by the Hillsborough County Board of Commissioners Certification Board, this Certificate Affirms the following graduates of the 46th Hillsborough County Department of Corrections' Training Academy as Certified Correctional Officers: Ralph Antilus, Thomas Brooks, Michael Brouillette, Jeffrey Czarnec, Kevin Germain, Jayne Jacques, Jacob Maki, Alexander Marte, Brian Mullally, Adam Rosario, Devin Rush, Kristyn Smith, Jeffrey St. Onge, and Daniel Worcester.

Comm. Holden congratulated Supt. Dionne for holding a successful academy and noted that the Commissioners will sign the certificate.

Supt. Dionne explained that there will be fourteen new Correctional Officers but they cannot work alone until they have worked with experienced Officers. He added that the facility is nine positions short at this time, even after filling fourteen positions. Mr. Dionne informed the Board that six people have left during the last five weeks.

Supt. Dionne noted that during exit interviews; he asks why the Officer is leaving; he added that the following reasons have been cited:

- Lack of job security
- Retirement rules being constantly changed by the State Representatives
- Wages are frozen
- Increased costs for Insurance
- Mandated overtime; the Officers may have already worked 12 to 16 hours overtime that week
- Overtime is taking time away from their family
- Discipline is threatened if they don't work overtime
- A perception that the County does not appreciate the job they do along with a feeling that members of the Delegation do not understand what they do
- Decreased morale
- Increased personal expenses
- Decreasing levels of experience and knowledge among staff

Supt. Dionne noted that the aforementioned has resulted in a situation where the average age among the Correctional Officers who will be running the facility during the evening shift will be age 21. He further added that this has compromised safety and it has been necessary to move staff, which in turn is not well received when Officers are taken off their assigned shift; in fact, it decreases motivation. He added that with the earlier layoffs, staff has already taken on more responsibility while it is costing them more money to come to work. Many Officers with a family have found that they cannot afford to work at the County with the lack of commitment coming from the Delegation.

Supt. Dionne explained that his overtime is budgeted to be at 23% at this point, but he is currently experiencing about 48%; which means that he has used approximately half of the annual budget for overtime. He added that he will be providing a weekly overtime impact report to keep the Board and Executive Committee informed so that the impacts of the Executive Committee and Delegation taking \$200,000 from his Overtime budget and another \$230,000 from his Salary & Wages line is fully understood. He explained that he is trying to do the job as best he can with the staff he has, but noted that staff is leaving faster that he can do background checks and qualify new candidates for the positions.

Discussion ensued relative to terminations at the DOC. Supt. Dionne noted that there have been 32 resignations since the beginning of the year. Comm. Ziehm added that she would make certain that the Executive Committee is aware of the terminations and impacts. He added that there are currently 23 unfilled positions, 14 of which can be filled once the new Officers have been further trained.

Supt. Dionne requested an opportunity to meet with the Board in Non-Public session later in the meeting.

7. County Attorney

Attorney Hogan explained that his department has replaced the paralegal with an individual who is also an attorney; this person will be made a Special Assistant so that that person can follow through motions at the Court and perhaps assist another when possible. He added that this makes the position more attractive by adding the benefit that the person will receive some court time and it will attract a quality person. He added that the position falls within the budget and requires no approval.

6. Nursing Home

Mr. Moorehead reported that the Nursing Home Administrator for Belknap County passed away the previous Sunday; he noted that may have to bring in an emergency administrator until a replacement is found.

Mr. Moorehead informed the Board that the Nursing Home Census remains strong and reported that the census as of September 13 was 286, which included 207 Medicaid residents, 43 Private Pay residents, and 36 Medicare residents; he noted that this is essentially a full building. The average census for the month was 280.9; which is over budget.

August 2012 Revenue

Mr. Moorehead provided an update of the unaudited August Revenue. He explained that the budget for Room and Board plus ancillaries for August was \$1,841,186, while the actual was \$1,798,143 resulting in a negative variance of \$43,043.

Mr. Moorehead informed the Board that the Nursing Home received an unexpected trustee settlement in the amount of approximately \$47,000 that was received in early September; it will more than offset the negative variance for the month.

Position Change Request

Mr. Moorehead requested the Board's approval to change a per diem Activity Aide position, currently at \$14.00/hour (control #304848005) to a Part-Time Activity Aide at \$12.50 per hour. He added that the change will benefit the County and will save approximately \$1,560/year; additionally it will help improve departmental staffing, particularly over the weekends.

Motion: To convert a per diem Activity Aide person budgeted at \$14.00/hour (control #304848005) to a Part Time Activity Aide at \$12.00/hour. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

In response to a question from Comm. Holden, Mr. Moorehead added that it will be for 25 hours.

7. Old/New Business

Mr. Reidy distributed copies of a Memorandum of Understanding between the University System of New Hampshire and the Hillsborough County Convention and Commissioners. He explained that the MOU has been done every six years and noted that the changes primarily relate to changes in the Re-Extension process that has been ongoing over the last year and referred the Board to some of the changes in the MOU. He added that this is something that the Executive Committee Chairman has executed on a six-year schedule. Comm. Pappas noted that there has been discussion relative to some of the Counties having concerns about some of the language. Comm. Holden noted that this is the first time that the Commissioners were listed as a part of the MOU. Comm. Ziehm asked if Legal Counsel would look at the document. Attorney Kirby added that the document has language that should be clarified and noted that it should be subject to appropriations. She explained that at this point, she has been given no authority from the Board or Executive Committee. Following further discussion, there was an agreement that it should be forwarded to the Delegation for its consideration.

Mr. Wenger informed the Board that the Mr. Goodnow from the Administrative Office of the Court contacted him relative to video conferencing. Mr. Wenger added that the Courts will be spending their appropriation prior to June 30th; the project is running in a number of Courts and they will be outfitting all of the Counties with the exception of the DOC on Valley Street in Manchester. He added that they will be updating Berlin, the Goffstown Court and the Sununu Center as well as providing upgrades in Cheshire, Grafton and Rockingham Counties. Mr. Wenger added that they are seeing some significant savings in transportation costs and added that Mr. Goodnow offered to provide a unit at Valley Street that would only be used for Nashua, which is one of the County's longest distances for transport.

Comm. Holden noted that one of the problems has been that they have never seen any protocols; Mr. Wenger responded that if there are protocols, Mr. Goodnow has never shared any information with him. Supt. Dionne added that in his opinion, he does not believe that they know what the protocols are; he added that there are three individuals running the program in Rockingham County and if it were to be installed at the DOC, he would have to hire three more people. He added that in Rockingham County, the staff has to call the other courts to learn what judges are available to hear a case; the Corrections Officers at Rockingham County need to set up a new schedule each day. Supt. Dionne noted that Belknap County is going to request that Court Officers come and run program because they cannot afford to pay staff to do it. He added that while the Administrative Office of the Court will pay for the equipment, they will not pay for the three employees that he would need to run the program. Mr. Wenger added that while the project will save money for the Administrative Office of the Courts, there is no consideration given to the impacts and additional costs for the County and the downshifting of State expense to the County. The Board discussed its position relative to video conferencing and additional costs to the County.

Supt. Dionne informed the Board that the Public Defender's Office has not agreed to participate in the program. He added that consideration has not been given to who will fix the equipment after the Court no longer provides for service, which at this point is for five years. He noted that the equipment has to be up and running at all times and added that in the event of a malfunction, the judges would not be happy, safety would be a concern if the inmate then has to be transported and costs would increase. He added that the DOC is averaging forty to sixty transports a day and he is amazed that the Sheriff is able to handle the transports every day. He summarized by advising that the County wait to see statistics from other Counties before any decision is made. The Board agreed to wait until more information is available.

CDBG – Manchester update

Mr. Wenger spoke about the CDBG Grant application that was approved by the Board on July 21, 2011 and noted that after reviewing contracts and details of the grant it was decided that there would be an MOU developed that would indicate that the City of Manchester would step in and indemnify the County relative to this project because the funds will only pass through the County; the City will be responsible for oversight of the project. He explained that the MOU was presented to the Board of Mayor and Aldermen on September 4th, and on a motion by Alderman O'Neil, seconded by Alderman Roy, the Memorandum of Agreement was approved. He added that the County is now prepared to go forward and the MOU could be signed by the Board Chair along with the agreement with the CDFA (Community Development Finance Authority) if the Board wishes to go forward with the agreements.

Attorney Kirby indicated that the Board authorized the Chair to execute the MOU at its August 10th meeting.

Human Resources

Mr. Wenger distributed a Draft proposal with the Board relative to the opening in the Human Resources Department and the retirement of the Human Resources Director at the end of August. He noted that he has reviewed the Human Resources operation and the services it delivers, job descriptions and input from the departments relative to their HR needs. He added that in addition to the reductions that were made during the Commissioner's budget process and the reorganization and consolidation of the Office of Administration & Finance, the Delegation further reduced the employee-related lines in that budget by \$13,775.23. Mr. Wenger added that the proposal he has presented for the Board addresses the financial needs of the County as well as increasing hours in the Human Resources Department. He noted that he has not been successful in conveying to the County the need and importance of an effective Human Resources function for an entity with over 800 employees that has responsibilities related to a number of departments, six collective bargaining agreements, a 24/7 operation, and for departments being overseen by separately elected officials every two years.

Mr. Wenger explained that the County is not meeting current standards and does not have the staff to meet the needs of the County's employees. He added that he has presented the Board with a draft that outlines changing the Part-Time Human Resources Director by reducing it to \$1 (if not eliminating the position), and creating a position of Full-Time Human Resources Manager. He noted that he has provided the Board with a job description and a financial breakdown for its consideration. Mr. Wenger explained that this action, from a financial standpoint, will change the position from a Grade 14 to a Grade 12, and will result in the department being able to recoup the hours; however, doing so will mean that certain important aspects of the function such as planning, visioning, salary & wage studies, job descriptions & updates and training will either take much longer to do or they will have to be shifted to him. The focus will be more on the day-to-day operation and meeting government entity requirements.

Mr. Wenger added that he has researched many Human Resources positions across the County to prepare the proposal and suggested that the change will address the deficiencies in the Administration & Finance budget going forward into next year; however, the Retirement rates will increase next year; rates for Group I employees will increase from 8.8% to 10.77% which leaves a savings of only \$540. He will post the position once approved.

Mr. Wenger emphasized that the proposed action addresses the budget reduction of \$13,000 budget for the current year, but it will not carry forward. He added that he has concerns relative to the expectations of the Executive Committee for the coming year, particularly if that budget starts with a similar \$900,000 reduction. This reduction will not address that kind of cut in another year.

Mr. Moorehead informed the Board that the chimney related to the Natural Gas conversion project will be lined the following day. He explained that the hot water will have to be shut down for part of the day and the facility is prepared for that.

Comm. Holden noted that there are expenses going forward, including removal of the large maple tree at the complex, and the contract for music for the DOC & Nursing Home; she noted that the Board should be able to do transfers because the funds are there but opined that there is a different standard for different groups as things come up.

Comm. Pappas suggested that the Board present transfers and see how they proceed.

Mr. Wenger informed the Board that Ms. Robinson has looked into the tree and there is no value to it. He added that he is working with the representative from ASCAP relative to music; he suggested that there are also a number of unanticipated issues coming forward. He added that the previous weekend one of the DVR recorders in the Sheriff's Office went down; it costs approximately \$2,500. He noted that there are a number of other issues that the County will be addressing and the available funds are very limited. He added that the departments are tracking the impacts of the budget cuts and if there is a need for further cuts, they will be addressed so that any employees being laid off will be given a 30-day notice.

Mr. Wenger noted that he was invited by the So. NH Planning Commission to attend an organizational meeting; the So. NH Planning and the Central NH Regional Planning Commissions have received a grant and are working on a Comprehensive Economic Development Strategy (CEDS) plan; the objective of which is to look at all of the communities served by the southern and central regional planning commissions. He added that the objective is to access federal grants. He added that in 2012, there was \$111,000,000 in Public Works grants that would have been available to a CEDS program as well as \$50,000,000 in economic adjustment grants. Mr. Wenger explained that should the County develop its infrastructure, these grants are appropriate. He suggested that those present share the information with any person or entity that might be interested in participating in the committee.

Comm. Holden shared information relative to a NACo webinar relative to cyber security.

Mr. Wenger informed the Board that the new backup boiler for the Bouchard Building should be arriving any day.

Comm. Holden noted that the Friends of the Goffstown Rail Trail participated in a bicycle and pedestrian review of the Goffstown Rail Trail and connections from Goffstown Village to Fisher Cats Stadium in Manchester on September 10th.

Comm. Holden spoke about an email from Betsy Miller received by the Commissioners; it is relative to Ms. Miller's letter to DHHS that outlines the position of the Counties and the vote taken at the NHAC Executive Committee meeting and its decision to no longer pay for the expenses of the State Rate Setting Bureau, the State employee's salary and benefits, retroactive to July 1st.

Mr. Wenger referred the Board to material from Prosper NH that addresses its concerns with natural gas supplies.

8. Public Comment

There was no one present from the public who wished to comment.

9. Non-Public Session

Comm. Ziehm entertained a motion to move into Non-Public Session.

Motion: To move into Non-Public Session with Supt. Dionne and Attorney Kirby consistent with RSA 91-A:2 I (b) to consult with Counsel. Motion by Comm. Holden, second by Comm. Pappas. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Recess at 10:16 a.m.

The Board moved out of Recess. The Meeting reconvened at 10:24 a.m.

The Board moved out of Non-Public Session at 10:34 a.m.

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

Motion: To move into Non-Public Session with Attorney Kirby and Mr. Wenger consistent with RSA 91-A:3 II (d) relative to consideration of the acquisition, sale or lease of property. Motion by Comm. Ziehm; second by Comm. Pappas. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Non-Public Session at 10:34 a.m.

The Board met with Mr. Wenger and Attorney Kirby.

The Board moved out of Non-Public Session at 10:38 a.m.

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

10. Adjourn

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

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

The meeting adjourned at 10:39 a.m.

Approved 10/3/2012

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

Date