

Regular Meeting of the
Hillsborough County Board of Commissioners
October 1, 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, Comm. Ziehm, D. Dionne, C. Kirby, B. Moorehead, D. Reidy, E. Robinson, G. Wenger, M. Castonguay, and L. Stonner.

1. **Call to Order**

Comm. Pappas called the meeting to order at 9:04 a.m. Mr. Wenger led the Pledge of Allegiance.

2. **Administrative Business**

Minutes:

Motion: To approve the minutes of the Board of Commissioner's meeting held on September 17, 2014. Motion by Comm. Ziehm, second by Comm. Holden.

Motion: To approve the minutes of the Statewide Conference held on September 19, 2014 that was attended by Commissioners Pappas, Holden and Ziehm. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Payroll Registers

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

September 16, 2014	\$ 90.93
September 17, 2014	120.00
September 25, 2014	861.57

for a total of \$1,072.50, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Motion: To approve a Regular Payroll dated September 25, 2014, in the amount of \$1,131,088.61, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Accounts Payable Register

Motion: To approve an Accounts Payable register dated September 22, 2014, in the amount of \$851.00 and an Accounts Payable register dated September 30, 2014, in the amount of \$3,296,435.11, for a total of \$3,297,286.11, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

CIS Bid # 7-2015 – FY2015 Laptop Purchase

Motion: To approve CIS Bid # 7-2015 for the FY2015 purchase of Laptops for the County, and to award the bid to GovConnection, Merrimack, NH, noting that it is the lowest responsible bidder meeting the

specifications at a cost of \$10,712, further noting that there is a difference of only \$8 between the first and second bids. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

In response to a question from Comm. Ziehm, Mr. Wenger noted that the aforementioned bid is for the purchase of 8 laptops.

3. Public Comment on Agenda Items

There were no members of the public present who wished to comment on Agenda items.

4. Department of Corrections

Census

Supt. Dionne presented the Department of Correction's Census. He noted as of September 23, 2014, the total in custody was 515; he explained that there were 394 men, including 138 that had been sentenced and 256 that were being held pre-trial; there were 121 women; 60 of the women had been sentenced and 61 that were being held pre-trial. He informed the Board that there were 138 individuals who were diverted through the Mental Health Courts; 70 were from Manchester and 68 from Nashua. He added that the DOC was holding 39 female inmates from Rockingham County and there were 20 inmates in the community.

Overtime Impact Report

Supt. Dionne noted that he had provided an Overtime Impact Report for the Board for the permanent record.

Comm. Holden reported that Hillsborough County received money from the Department of Justice for the Drug Court. Supt. Dionne indicated that the funds are for Hillsborough County Superior Court South and indicated that more funds may be available for Superior Court North.

Bid # FY15-07 – Physician Services

Supt. Dionne presented Bid # FY15-07, noting that it is for Physician Services for the Department of Corrections and is a 3-year contract. He added that Dr. Masewic is the current provider and recommended that he once again be awarded the bid.

Motion: To approve Bid # FY15-07 for Physician's Services for the DOC for a 3-year period, and to award the bid to Dr. Matthew Masewic, Penacook, NH, the lowest responsible bidder and the current provider, noting that there is no increase in the second year and there is a 1.2% increase in the third year. Motion by Comm. Holden, second by Comm. Ziehm.

In response to a question from Comm. Ziehm, Supt. Dionne explained that the physician comes in 4 hours a week and is on call 24/7. He added that the physician is called multiple times daily and works closely with the in-house medical staff and comes in whenever necessary to meet the needs of the facility.

Motion carried to approve the bid for Physician's services.

Bid # FY15-94 – Inmate Phone Service with Jail Management System

Motion: To approve Bid # FY15-94 for Inmate Phone Service and Jail Management System at the Department of Corrections, and to award the bid to IC Solutions, San Antonio, TX; it has the highest

commission rate of 65% with a minimum annual guarantee of \$247,000, noting that it is the lowest responsible bidder. Motion by Comm. Holden, second by Comm. Ziehm.

Supt. Dionne explained that this bid has been pending for a long period of time and noted that it was discussed 2 years ago during the budget process when it was mentioned that the DOC needed a new booking system. He added that when the Inmate Phone Service RFP was sent out, the bid also required that a new booking package for the jail be a part of the bid. He noted that the jail was built in 1989; there are currently no computers on any of the units and handwritten logs and reports are still being used. He added that this new system will bring a computer to every unit at no cost to the County and the bid includes equipment and programming. He summarized by saying that by using the phone system with this vendor, the booking package will be included at no cost.

In response to a question from Comm. Ziehm, Supt. Dionne explained that when an inmate enters the facility, the individual's history and information will be placed in a jail management booking package that is maintained over time. He added that the new system will allow them to print better reports when needed and significantly reduce the amount of paper used.

Motion carried to approve Bid # FY15-94 for the Inmate Phone Service with Jail Management System.

Mr. Wenger commented that the Jail Management System at the DOC is similar to the paperless project done at the Nursing Home; it changes the way the DOC does its business and is a major project for the facility.

Supt. Dionne reported on the recent Correctional Officer Graduation Ceremony and thanked Commissioners Pappas and Ziehm for attending the graduation. Comm. Holden read the certificate for the record:

Hillsborough County New Hampshire Commissioner's Certification Board

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, New Hampshire Commissioner's Certification Board, this Certificate Affirms the following graduates of the 52nd Hillsborough County Department of Corrections' Training Academy as Certified Correctional Officers:

<i>Christopher J. Cunningham</i>	<i>Robert K. Grimes</i>
<i>Blenda Y. Lopes-Dempereira</i>	<i>Seth A. McCusker</i>
<i>Michael A. Melendez</i>	<i>Paul J. Messuri</i>
<i>Michael J. Miller</i>	<i>Michael J. Mumper</i>
<i>Samuel M. Mutungi</i>	<i>Stephen L. O'Toole</i>
<i>Gabriel I. Sainten</i>	<i>Jose H. Suarez</i>

*In witness whereof the signatures are hereunto affixed on the 10th day of February in the year 2014.
Toni Pappas, Sandra Ziehm, Carol Holden.*

Motion: Comm. Holden moved to approve the certificate and to have the Commissioners sign it. Comm. Ziehm seconded the motion. Motion carried.

5. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census. He indicated that the Census as of September 25, 2014 was 284; it included 207 Medicaid residents, 36 Private Pay residents and 41 Medicare residents

Bid # 01-2015 – Oxygen & Respiratory Services

Motion: To approve Bid # 01-2015 for Oxygen & Respiratory Services for the Nursing Home, and to award the bid to Genter Healthcare, New London, NH, at a cost of \$.38 per pound for Liquid Oxygen, \$70. Per month for O2 Safe Tank, and \$18 per month for Portable Liquid Oxygen Units, noting that it is the lowest responsible bidder. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Bid # 02-2015 – Trash Disposal (3-year contract)

Motion: To approve Bid # 02-2015 for Trash Disposal at the Nursing Home for a period of 3-years, and to award the bid to Pinard Waste, Manchester, NH, noting that it is the lowest responsible bidder at a cost of \$31,008 annually. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Bid # 3-2015 – Transportation & Incineration of Biohazardous Waste (3-year contract)

Motion: To approve Bid # 3-2015 for the Transportation & Incineration of Bio hazardous Waste for the Nursing Home for a 3-year period and to award the bid to Stericycle, Inc., Northbrook, IL, noting it is the lowest responsible bidder at a cost of \$21 per box. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Skilled/CRU Discussion

Mr. Moorehead explained that the CRU is the Current Rehab Unit (skilled unit) is currently a 24-bed unit that is adjacent to the ELU (Enhanced Living Unit) (also known as the behavioral unit) that has 20 beds. He added that they have been “splitting at the seams” since April with Medicare Part A or Medicare Supplemental-type patients coming from the hospitals; the Medicare Part A Census has been averaging approximately 40 or 41 since April; the budget is 34. He noted that with a 24-bed skilled unit, there are not enough beds to house the number of Medicare Part A patients that have been coming in; skilled patients have had to go to another unit to get skilled care. He explained that if the facility has 10 skilled patients that need Rehab that are located on 4 different units, for example, it means that the Rehab staff need to go to 5 units instead of 1. He explained that if the Nursing Home could consolidate the skilled patients so that they are all on one skilled unit, it would help for continuity, documentation, and rehab. Mr. Moorehead suggested that consideration be given to phasing out the ELU through attrition and phasing skilled patients into that unit. He explained that the ELU is a 20-bed unit with a Medicaid atypical rate that is currently \$209/day; the Medicaid rate is approximately \$165/day. He added that 20 atypical patients on that unit for a full year would generate \$1,529,000, but if he had 10 additional Medicare patients; that would generate \$1,642,000; which is a positive variance of \$112,000/year. Mr. Moorehead added that he is seeing the Medicare Part A increase as a trend, not as an anomaly. He asked the Board to give his proposal consideration and noted that, if implemented, there would be an approximate 6-month window that would be needed for renovations on the ELU unit.

Comm. Pappas asked where the patients would go who have behavioral issues. Mr. Moorehead added that some could go into a long-term bed; he added that they could best be served by an institution that specializes in that area. Comm. Pappas asked where that might be. Mr. Moorehead responded that there he is not aware of any such institutions, but there is the Gero Psych Unit (GPU) at Elliot Hospital. Comm. Ziehm asked about the space needed. Mr. Moorehead responded that each unit in the building is approximately 22,000 square feet and the ELU currently occupies about 11,000 square feet.

Comm. Pappas indicated that the Board could take the issue under advisement. Comm. Ziehm noted that she shares Comm. Pappas’ concern, particularly if there is no other place for the ELU patients to go. Mr. Moorehead added that

when he considers attrition, he does not mean out on to the street, he means either to another bed in the building where they can be accommodated or a bed in a facility like Cheshire County Nursing Home or Strafford County that both have similar units.

Comm. Pappas asked about future patients; Mr. Moorehead responded that with his plan, they would not be admitted. In response to a question from Comm. Ziehm, Mr. Moorehead noted that behavioral patients tend to be younger and stay for a long period of time. Discussion ensued relative to adding additional beds or finding space in another County-owned building.

6. Old/New Business

Drug Rehab Center Visit

Comm. Ziehm explained that she is interested in accepting Judge Coburn's invitation to visit the Drug Rehabilitation Center in Nashua; she asked if the other Commissioners were also interested in visiting. The other Commissioners expressed an interest in visiting; Mr. Wenger will coordinate the details.

FY 13 Justice & Mental Health Grant

Mr. Wenger informed the Board that the DOC received the FY13 Justice and Mental Health Grant Collaboration Program Expansion in the amount of \$200,000 for Hillsborough County over a period of 2 years. Supt. Dionne explained that it is the expansion grant for the Pre-Trial supervision program; it is now at the post-sentencing supervision stage. The program allows eligible inmates to spend more time in the community, which in turn helps inmates keep their families together, get treatment, maintain a home, and keep food on the table. He explained that most of the funding covers the wages of officers who are assigned specifically to this program. They only do that job and are not allowed to perform any other duties at the DOC. Mr. Wenger expressed his gratitude to Susan Stearns, who has continued her support for this program, even though she now has a job with NAMI.

Motion: To authorize the Chair to execute the agreement as the authorized recipient. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Transfers - \$2,500 Threshold

Mr. Wenger noted that discussion was held and a motion was made and passed at the Executive Committee meeting relative to setting \$2,500 as the minimum amount of Transfer that would have to go to the Executive Committee for approval. He noted that discussion of travel was an issue at that meeting. It was decided that the Board would consider approving selective smaller amount transfers subject to Executive Committee's approval if they might be issue. The Board will consider each transfer on its merits.

NHAC Conference Planning

Mr. Wenger reported that the Committee met earlier in the week and distributed the Conference Agenda and discussed sponsorships. He reviewed the Agenda with the Board. Discussion ensued relative to rooms; the County has 4 rooms for its use within its budget as host County.

Motion: To use one of the rooms for one night for the award recipient nominated by Hillsborough County. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Comm. Pappas indicated that she would like to see the Agenda for both the lunch and dinner award ceremonies. There was discussion about who might present awards.

Planning Discussion

Mr. Wenger informed the Board that he met with Comm. Ziehm and Mr. Reidy relative to planning; He explained that he will be coming to the Board with 2 draft RFP's-one that could go to commercial Real Estate professionals that would focus on the buildings and a second one to send to developers that would address use of land.

Mr. Reidy notified those present that on November 19th from 5:30 to 7:30, Cooperative Extension for Hillsborough County and Rockingham County will hold a centennial celebration for the 100 years of Cooperative Extension; it will be held at the Manchester Historical Society Millyard Museum. He added that there will be donations for the Food Bank and noted that the Radisson and the Food Bank will be preparing all the food using local foods from the County.

Ms. Robinson informed the Board that she received a call from Careington relative to the termination of the Dental Program by NACO. She added that they will continue to serve our County individuals who have the insurance, and others who have agreements across the County. Families will be able to continue to at the same price with uninterrupted service. There will be a change in the program and information will be available to the Counties.

Mr. Moorehead informed the Board that there is a Medicaid Managed Care Forum at the Nursing Home today at 2:30 p.m.; space is limited to 48 persons; it is primarily for providers, patients and their families.

Supt. Dionne observed that the attended the Conference relative to the Felony Case Load that was hosted by the Judges. He thanked the Commissioners for their support and cautioned that the numbers presented as savings are not accurate; the true cost and savings are unknown at this point. Supt Dionne added that on one of the pages in the presentation, the Judges showed a reduction in pre-trial detention time. He explained that the time may be accurate but when they apply money and savings, it is not factual. He noted that an example showed Grafton County having 34 inmates awaiting trial at a daily cost of \$100, the illustration showed that by eliminating 2 months of pretrial, there would be a savings of \$6,000 per inmate for a total savings of \$204,000. He added that those number are not factual and are significantly lower in another example showing 42 inmates in Cheshire County at a daily rate of \$100 and \$6,000 of savings per inmate with a total savings of \$252,000, but they claim that the direct cost that includes food, medication and care is \$26,860 for 2 months (or over \$100,000 for the year).

Supt. Dionne remarked that he is concerned about a comment by Representative Rowe who commented that he loved the idea; Rep. Rowe remarked that he thought there it is a lot of savings, and added: "I'm going to sponsor it; let's pass the bill and work the logistics out later." Supt. Dionne added that the statement concerns him because he believes it could create a belief that all County Corrections' budget can be reduced by an uncertain amount. He encouraged the Board to recommend that any Representatives who contact them be encouraged to contact Supt. Dionne to see what savings there might be, if any. The Board expressed its concern. Comm. Ziehm reported that one of the Judges indicated that there might be a temporary assistance from the State for perhaps a period of 2 year.

Mr. Wenger asked if the numbers presented in the presentation at the meeting are inflated relative to real cost to Hillsborough County and what it would be saving. Supt Dionne responded that is the case, adding that he is not sure where they got \$100/day cost per inmate. He added that his average cost is about \$61-\$62/day, further adding that the true cost has to include water, sewer, lights, food, medication and other expenses that cost approximately \$13/day. He explained that while it would save his Department money, the costs would be shifted to the County Attorney's staff; he noted that he will be speaking with Attorney LaFrance relative to this issue.

Comm. Ziehm inquired as to whether Hillsborough County should conduct its own financial analysis relative to the costs and provide that to Justice Nadeau and her team. Mr. Wenger added that it is important to consider how to

address the issue from an Association standpoint and a County standpoint and to come up with a fiscal note anticipating legislation so that the County is prepared for that. Mr. Wenger agreed to follow up with Attorney LaFrance relative to costs.

7. Public Comment

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

8. Non-Public Session

There were no requests for Non-Public Session.

Attorney Kirby requested an opportunity to meet with the Board of Commissioners and Mr. Moorehead to consult with Counsel.

Motion: To Recess the meeting and to meet with the Board and Mr. Moorehead in a non-meeting format consistent with RSA 91-A:2 I (b) to consult with Counsel. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

The meeting Recessed at 10:57 a.m.

The Board met with Attorney Kirby and Mr. Moorehead to consult with Counsel.

The Board moved out of Recess at 11:18 a.m.

Motion: To move out of Recess. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Comm. Pappas entertained a motion:

Motion: To give Legal Counsel the authority to settle pending litigation up to the amount discussed. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

9. Adjourn

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

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

The meeting adjourned at 11:20 a.m.

Approved on 10/15/2014

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date