

Regular Meeting of the
Hillsborough County Board of Commissioners
October 3, 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, P. Coughlin, J. Hardy, Rep. Seidel, C. Connelly, D. Dionne, C. Kirby, B. Moorehead, G. Wenger, and L. Stonner.

1. Call to Order

Comm. Ziehm called the meeting to order at 9:00 a.m.

2. Pledge to the Flag

Ms. Robinson led the Pledge of Allegiance.

The Chair led a moment of silence for the loss County employee, Arthur Aster. Mr. Wenger announced that that will be a memorial service the following Friday at 1:00 p.m. at the Mason Congregational Church. Arrangements are being made to send flowers to the memorial service on behalf of the County.

3. Administrative Business

Minutes

Ms. Stonner noted that there is a scrivener's error in the minutes in the last paragraph on page 5. She added that the sentence that reads: "Comm. Pappas noted that there has been relative to some of the Counties..." should read: "Comm. Pappas noted that there has been discussion relative to some of the Counties..."

Motion: To approve the minutes of the Board of Commissioner's meeting held on September 19, 2012, as corrected. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Holden explained that there were at least two Commissioners that attended several Executive Committee meetings and added that the Board should vote to approve those minutes.

Motion: To accept the minutes of the following Executive Committee meetings at which 2 or more Board members were present:

- March 23, 2012 Executive Committee meeting
- April 20, 2012 Executive Committee meeting
- May 29, 2012 Executive Committee meeting
- May 29, 2012 Executive Committee budget review
- May 31, 2012 Executive Committee meeting/budget review
- June 29, 2012 Public Hearing of the Delegation

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

Approval of Payroll Registers

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

- Oct. 2, 2012 \$3,560.13
- Oct. 2, 2012 \$ 463.28

for a total of \$4,023.41, subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve a Regular Payroll Dated Sept. 27, 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 following Accounts Payable registers in the followings amounts:

- Sept. 21, 2012 \$ 230.10
- Oct. 2, 2012 \$3,715,859.21 (Comm. Pappas read the date as August 2nd in error. The sheet is correct)

for a total of \$3,716,089.31, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Extradition Vouchers

Motion: To approve Extradition Vouchers on the following dates in the following amounts:

- Sept. 5, 2012 \$1,066.56 (Comm. Holden read the date as 2010)
- Sept. 5, 2012 \$2,716.23

for a total of \$3,782.79, noting that they have been previously approved by the County Attorney.

Motion by Comm. Holden, second by Comm. Pappas. 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 Sept. 25, 2012 was 559; he explained that the Census included 459 men, including 155 that had been sentenced and 304 that were being held pre-trial; there were 100 women, of whom 31 had been sentenced and 69 that were being held pre-trial. He added that 32 of the female inmates are from Rockingham County. Supt. Dionne informed the Board that there are a total 119 individuals that were diverted through the Mental Health Courts; he added that there are also 16 serving their sentence in the community.

6. Nursing Home

Mr. Moorehead presented the Nursing Home Census, reporting that the Census as of this date is 279, which includes 30 Medicare residents. He added that he will have the Sept. 27th Census available later in the meeting.

Out of State Travel Request

Mr. Moorehead requested that the Board approve out of state travel so that 4 staff could attend a seminar provided by Harmony Healthcare in Connecticut on November 8th and 9th; he added that there are sufficient funds available in the Administrative budget line to cover the expense.

Mr. Moorehead explained that Harmony is the company that the Nursing Home uses for consulting with MDS's and case mix; the seminar will cover MDS updates, Case Mix Index (CMI), Therapy Documentation, Hospital Re-admissions, etc.; it is an excellent program that will be extremely beneficial for staff. Mr. Moorehead noted that those signed up to attend include the MDS Coordinator, Department of Nursing, Director of Rehab, and a Therapist. He offered that based on the seminar, it is possible to generate another estimated \$98,000, thus it should pay for itself many times over.

In response to a question from Comm. Pappas, Mr. Moorehead explained that the cost is \$2,200 for the 4 individuals, including travel; he added that the Education & Conference line was budgeted at \$22,000, and Admin-Education & Conference is budgeted at \$3,000; none of which has been expended. He added that the expenses will be taken from different lines relative to which department's staff attends, further adding that there are several departments involved. In response to a question from Comm. Holden, Mr. Moorehead noted that approximately \$14,000 of the \$22,000 budget will be contractual expense, leaving another \$8,000 for other travel and education.

Motion: To approve the Out of State Travel as proposed by Mr. Moorehead for the conference in Connecticut. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Position Change Request

Mr. Moorehead requested approval to change a position in Administration that would reduce the hours of the driver position from full-time to part-time. He explained that the position has a related salary of \$39,199; if the hours are reduced to 20 hours, for example, that would result in a savings of approximately \$20,000. The Board agreed to discuss the request further in Non-Public session.

Mr. Moorehead reported that he has a CMS Five Star update for the Board. He explained that he had a discussion relative to changes in the Nursing Home's rating with Dr. Lambrucos, one of the employees of the CMS Division of Survey & Certification. He added that the Nursing Home's rating went up and noted that the 2010 survey resulted in several tags related to a single med-pass issue that resulted in several deficiencies. He added that the results of a survey effect the surveys for three additional years, and noted that each year following a survey, the value of the points assigned to that survey decline, thus after the third survey since 2010, that particular survey will go away and not effect the current year's survey; with 3 good surveys in a row, the facility's rating has gone up. Mr. Moorehead explained that the facility was previously rated 2 stars overall, 1 star for the survey, 4 stars for staffing and 4 stars for quality of treatment and added that the current rating is 3 stars overall, 2 stars for survey, 4 stars for staffing and quality of treatment. He offered that he considers the current rating to be good; it is an improvement over 2010, and 2013 is anticipated to improve even more.

Gas Conversion Project Update

Mr. Moorehead explained that Liberty Utility, a National Grid organization, is anticipated to begin work on the gas line by the end of October once they have mapped where all the utility lines are on the

property. The gas line should be up to the building no later than the second week in November, at which time the internal hookups will be done.

Sheriff Hardy joined the meeting

7. Registry of Deeds

Register Coughlin reported that the Registry of Deeds volume is up in all categories for the first quarter of the budget year. She distributed her report to the Board and reported that the realtors that she has spoken with have indicated that they are very busy.

Appointment-Deputy Register of Deeds

Register Coughlin requested approval of her appointment of a Deputy Register of Deeds. She added that there will be a savings in the 2014 budget because it is a part-time position with no benefits, adding that Hillsborough County is the only Registry without a Deputy Register. Ms. Coughlin explained that the Deputy performs all the duties when the Register is not there. She outlined the proposed individual's experience and unique qualifications and noted that business at the registry has increased and explained that it is difficult to place additional duties on remaining staff that already were impacted with the last budget cuts. Ms. Coughlin explained that the position is in the budget and funds are available.

Motion: To approve the request by the Register to appoint a Deputy Register and to request that the County bond the Deputy as of today. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Discussion ensued relative to the position; the Board expressed concern relative to funding the position as it is listed in the budget at \$1. Ms. Coughlin explained that the funds are available because of a full time employee's retirement.

Mr. Wenger noted that, by statute, the Registrar has to appoint a Deputy and the Board would then approve the appointment. In answer to the Board's concerns relative to funding, Ms. Coughlin explained that there will be a savings of approximately \$5,000 by hiring a part time Deputy and leaving the full time position unfilled. Following discussion relative to hours, savings, salary range and whether filling this position would still make it possible for the Registry to meet its share of the cuts as required by the Delegation. Ms. Coughlin agreed to provide that information later in the meeting.

Motion: To table the Register's request to approve a Deputy Register. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

8. Sheriff's Office

Sheriff Hardy presented Bid # 2013-4, which is for new fire arms. He explained that this bid will complete the Departments' purchase of the concealed-carry Sig Sauer handguns. He recommended that the bid be awarded to Interstate Arms Corp., noting that it is the lowest responsible bidder.

Motion: To approve Bid # 2013-4; the lowest responsible bidder is Interstate Arms, Billerica, Ma; it is for new firearms at a price of \$597.45 per unit and a total price of \$7,766.85. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Sheriff Hardy explained that while the low bidder sells the gun made by the manufacturer, it is able to get a better price than the manufacturer offers because of purchases being consolidated with the Massachusetts State Police bid price.

9. Nursing Home Grievance

Mr. Wenger reported that relative to Grievances PM 609 and PM 610, it is his understanding that Mr. Moorehead and the union have agreed to various issues and have asked that the grievances be continued at this point. The Board agreed to continue the grievances until October 17th.

Motion: To continue the Grievances PM 609 and PM 610 until the October 17th Board meeting. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

10. Old/New Business

County Complex

Ms. Robinson referred the Board to two bid responses that were received in response to an RFP sent earlier regarding the use of County land and buildings. She indicated that a request was received from Devriendt Farm Products, LLC for the use of County lands for produce production. Discussion ensued regarding the request including specifics about which fields are being requested, how they will be irrigated, the current rate, the term of the commitment, whether to continue the use of the land by the Department of Corrections for its garden and the lot for the community garden, and whether the Board is interested in pursuing the request further. Attorney Kirby informed the Board that should it change the use of the County property and make it farming, it creates a change in use, which is subject to tax, and since any farming on the property would make it subject to tax, that has to be a part of the analysis. Ms. Robinson will gather further information and report back to the Board.

Ms. Robinson referred the Board to the request from R. J. Finlay relative to its proposal for the 19 Temple Street Courthouse in Nashua. She noted that there are several different proposals that include on outright purchase of the building, and options for leasing the building to the County with conditions. Comm. Ziehm informed the Board that Nashua Mayor Lozeau is interested in meeting with the Board. Mr. Wenger added that it is his understanding that Hillsborough County Superior Court South will be staying in Nashua, therefore that will be a need for space by the County Attorney and the Sheriff's Department; he added that moving the Registry of Deeds out of that space will be costly because of the required vaults. The Board discussed the proposal; Comm. Ziehm added that a commercial appraisal of the building would be approximately \$5,000; she noted that it is very complicated.

Comm. Holden spoke about a study conducted by Wright University in which the Mayor of Manchester stated that Manchester has Home Rule, which is not correct, resulting in a conclusion that Hillsborough County is a weak County. Following discussion, Comm. Holden agreed send the study to Mr. Wenger for distribution.

NECC Platform

Comm. Pappas referred the Board to draft from the Northeast County Caucus of NACo that she asked to have included in the Board's packet. She noted that the Northeast County Caucus (NECC) is creating another addition to its platform regarding power outages after storms and how the Counties in the Northeast along its coastlines address the resulting issues of caring for residents. She added that the draft will be

presented at the NACo Board meeting in the hope that it will become a resolution and later be added to its platform.

Human Resources

Mr. Wenger referred the Board to a proposal relative to staffing in the Office of Administration & Finance, Human Resources department and asked for Board input. Comm. Holden noted that it is her belief that the position should be filled as a full time position. Mr. Wenger explained that in looking at the Human Resources services that should be delivered as well as the budget issues created at the end of the budget process, it is his belief that the County can address these issues by making some changes with regard to expectations of the department and by changing the position from a Human Resources Director to a Human Resources Manager as a full time position. He added that there would still be two persons in the department, but some of the higher functions of the position would be shifted elsewhere or could possibly be outsourced. These functions would include strategic planning, program development and training, developing the department's budget, wage and salary studies and other functions that were previously performed by the Human Resources Director.

Mr. Wenger explained that the proposal before the Board would move the position from a salary-exempt Grade 14 part-time Human Resources Director to a full-time, Grade 12 non-exempt Human Resources Manager; he added that he is not recommending any changes to the Human Resources Assistant position. Mr. Wenger explained that the net result of the proposed change in the Human Resources department is a net savings of \$6,100 for the fiscal year as well as savings in the Health Insurance changes that became effective September 1st in the amount of approximately \$6,500 or a combined savings for the fiscal year of approximately \$12,653; he added that the proportionate share for the budget reduction for FY 13 for the Office of Administration & Finance was \$13,775, which means there remains approximately \$1,100 to be cut over the course of the current fiscal year. He further added that the savings would carry forward over the next fiscal year except that the Retirement contribution will be going up next year, so there will not be a savings. Mr. Wenger added that because this is a change in positions, it will have to be approved by the Board and the Executive Committee.

In response to a question from Comm. Pappas, Mr. Wenger explained that many of the administrative responsibilities will not be included in the Job Description for the Human Resources Manager; but the Manager will still have some oversight of the Human Resources Assistant; the Human Resources Manager will report to the County Administrator; the Manager will work with the departments as the Director has done in the past. In response to a question from Comm. Holden, Mr. Wenger added that he is hopeful that the County will be able to find an applicant for the salary that is being offered and noted that consideration will be given to memberships and/or certification with Professional and Senior Professional Human Resources certifications, although the education and experience requirements are reduced from those in the Director's Job Description.

Rep. Seidel joined the meeting.

Motion: To approve the new full-time position of Human Resources Manager in the Commissioners' Office of Administration and Finance as proposed and defined in the position description dated September 19, 2012 and, upon the Executive Committee's approval of the new position to reduce funding for the Human Resources Director position to one dollar. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Supt. Dionne provided the Board with a letter of recommendation regarding the Video Arraignment project in which he recommended that the Board continue to monitor the project to see what, if any savings the other Counties realize through their use of video arraignments at their facilities. He added that he has a

synopsis of all the meetings and noted that protocols still have not been provided. He explained that in speaking with other Counties, he has learned that 3 Counties have no protocols and Strafford County has some protocols but none are the State protocols, thus it is different with each County. He noted that Rockingham County will be adding another person to its budget for video arraignment, yet he has heard nothing from that County's Sheriff relative to savings, and Rockingham County has been doing video arraignment the longest. The Board agreed to take the project under advisement.

Supt. Dionne provided the Board with a Weekly Overtime Impact Report

Comm. Ziehm asked Chairman Seidel if he wished to share anything with the Board; he responded that he had nothing at this time.

Comm. Holden informed the Board that she will be attending the NACo Budget Review meeting of the Finance Committee as an ex officio member on October 11, 2012; she added that she will be bringing forward concerns voiced at the NH Association of Counties' Executive Committee meeting with regard to what can be done to reduce the dues.

Comm. Holden provided a Crispin's House newsletter and informed the Board that that their Youth Forum will meet on October 14th. The Board discussed the programs of Crispin's House.

The next meeting of the Executive Committee will be held on Friday, October 18th.

Mr. Wenger referred the Board to the revised Hillsborough County Tax apportionment for 2012 in its packet.

Mr. Wenger provided the Board with the FY2011 Audit; he explained that there are two issues; one relates to grants and the County's way of handling the grants, the other relates to the County not meeting GASBY requirements this year because of staffing levels. He added that the County is addressing a form and a protocol to address the issue related to grants. Mr. Wenger requested that the Board accept the FY 2011 Audit.

Motion: To accept the FY 2011 Audit. Motion by Comm. Pappas, second by Comm. Holden.
Motion carried.

Mr. Wenger informed the Board that the County will be meeting with its Union groups on October 10th; the Department of Correction's Teamster's group will meet at 8:30 a.m., and the Department of Correction's AFSCME group will meet at 11:30 a.m.; the Nursing Home AFSCME group will meet on October 11th at 10:00 a.m. He added that the County is also working with the Sheriff's group to arrange a convenient meeting date.

Mr. Moorehead explained that he just received the Census information and reported that the Census as of September 27th was 278, which included 204 Medicaid residents, 42 Private Pay residents, and 31 Medicare Part A residents.

11. 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 as requested earlier in the meeting.

Motion: To move into Non-Public Session with Mr. Moorehead, Attorney Kirby and Mr. Wenger consistent with RSA 91-A:3 II (a) relative to a personnel issue. Motion by Comm. Pappas, second by Comm. Holden. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried.

The Board moved into Non-Public session at 10:32 a.m.

The Board moved into Recess at 10:33 a.m.

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

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

The meeting reconvened at 10:45 a.m.

The Board met with Mr. Moorehead, Attorney Kirby and Mr. Wenger.

The Board moved out of Non-Public Session at 11:05 a.m.

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

Comm. Ziehm asked if there were any further actions the Board wished to address.

Motion: To change the Driver/Messenger Position # 905212001 from a full time position to a part time position, as needed; the position change will be effective November 3, 2012. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To remove from the table the earlier motion related to the appointment of a Deputy Register of Deeds. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Register Coughlin reported that after conferring with the Staff Accountant, she is able to provide more information relative to the impact of bringing on a Deputy Register of Deeds. She explained that the salary and wages of the individual that retired were \$38,965; the part time Deputy will have 16 pays at a cost of \$14,387.20, which will represent a savings of \$24,577.80. She added that in the 2014 budget with 26 pays, the salary & wages will be \$23,379.20 for a savings of \$15,585.50. In response to a question from Comm. Ziehm, Ms. Coughlin reported that she will not be replacing the person who retired at this time. Following discussion, the Board agreed that the action does not need to be approved beyond the Board level because the position was funded at \$1 in the current budget and the funds are available.

The Board discussed the appropriate action that it should take to approve the appointment and bond the individual. Mr. Wenger explained that this change will address the Registry's final budget cut of approximately \$22,000 so this is a positive action. He added that the Board may wish to reduce the budget for the other position to \$1 or eliminate the position. Ms. Coughlin requested that the position be budgeted at \$1 because she may transfer an indexer into that position and she will then not need the indexer. She explained that a person who is an indexer is being trained as a recording clerk, so once he is fully trained, he will be moving to recording; she added that she would prefer that he have the more appropriate title of Recording Clerk at that time. The Board discussed what action would be the most appropriate at this time and offered a motion.

Motion: To authorize Register, Pamela D. Coughlin, to appoint Lu Ann Gero as Hillsborough County Deputy Register of Deeds consistent with RSA 78:2, and to request that the County bond the Deputy, effective immediately. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To reduce Position # 405841003 in the Registry of Deeds to \$1, and to fund Position # 206141001 at \$14,388. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Ziehm added that she has concern about leaving the \$1 position.

13. 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 11:18 a.m.

Approved on 10/31/2012

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

Date