

Regular Meeting of the
Hillsborough County Board of Commissioners
October 5, 2011
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. C. Holden, Comm. Pappas, P. Coughlin, D. Hogan, C. Seidel, D. Dionne, C. Beaulac, C. Kirby, B. Moorehead, M. Rioux, E. Robinson, M. Castonguay, G. Wenger, and L. Stonner

1. Call to Order

Comm. Holden called the meeting to order 9:12 a.m.

2. Pledge to the Flag

Int. Supt Dionne led the Pledge of Allegiance.

3. Administrative Business

Minutes

Motion: To approve the following Board of Commissioner's Meeting minutes:

- August 31, 2011 Regular Meeting
- September 14, 2011 Regular Meeting

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

Approval of Payroll Registers

The Board reviewed and approved the Payroll Registers.

Motion: Comm. Pappas moved to approve Payroll Registers for the following dates and amounts:

- September 23, 2011 in the amount of \$447.47
- September 29, 2011 in the amount of \$3,393.48
- September 29, 2011 in the amount of \$435.58
- September 30, 2011 in the amount of \$2,585.81

for a total miscellaneous payroll of \$6,862.34, subject to review and audit. Comm. Holden seconded the motion. Motion adopted.

Motion: Comm. Pappas moved to approve a regular payroll dated September 15, 2011, in the amount of \$1,152,545.45 subject to review and audit. Comm. Holden seconded the motion. Motion carried.

Approval of Accounts Payable Registers

The Board reviewed and approved the Accounts Payable Register:

Motion: Comm. Pappas moved to approve Accounts Payable Registers for the following dates and amounts:

- September 28, 2011 in the amount of \$746,257.75
- October 4, 2011 in the amount of \$2,985,991.06
- October 4, 2011 in the amount of \$1,603,172.91

for a total Accounts Payable of \$5,335,421.72, subject to review and audit. Second by Comm. Holden. Motion carried.

Sheriff's Extradition Vouchers

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

- July 28, 2011 in the amount of \$1,621.21
- August 2, 2011 in the amount of \$3.50

for a total of \$1,624.71. Motion by Comm. Pappas, second by Comm. Holden. 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

Int. Supt Dionne presented the DOC Census. He noted that as of September 27, 2011, the Census was 535, which included 468 men of whom 344 were being held pre-trial and 124 that had been sentenced. There were 63 women of whom 45 were being held pre-trial and 18 that had been sentenced. Int. Supt Dionne added that there are 15 inmates in the community.

Request for Use of County Land

Int. Supt Dionne informed the Board that the Goffstown Police Department is requesting the use of the field across from the Nursing Home for the purpose conducting a police K-9 tracking competition on October 26th.

Motion: To approve the request for use of County land by the Goffstown Police Department for K-9 training. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Comm. Holden added that the request includes information indicating that the Goffstown PD will sign a waiver releasing Hillsborough County of any liability, adding that the waiver is required. She noted that it was appropriate for them to ask permission because it is required.

Int. Supt Dionne presented the Board with invitations for the upcoming Officer Candidate Training School Graduation that will be held on October 7 at 1:30 p.m. at the Department of Corrections on 445 Willow Street. Int. Supt Dionne added that anyone who is interested may attend.

Comm. Holden congratulated Int. Supt Dionne on the Retirement Party held for former Superintendent J. O'Mara, noting that it was a success.

7. Nursing Home

Comm. Holden congratulated Mr. Moorehead on the favorable results of the recent survey.

Mr. Moorehead presented the Nursing Home Census; he reported that the Census as of September 29th was 281, which included 189 Medicaid residents, 55 Private Pay residents, and 36 Medicare residents. He added that the mix is very favorable.

Survey Summary

Mr. Moorehead reported that a State survey was conducted at the Nursing Home the previous week for 3 days. There were six surveyors on Tuesday and Thursday and 7 surveyors on Wednesday, the day they did the life safety component of the survey. He added that 2 minor deficiencies were noted on the health side, and noted that a report should be received back from the State in 8 to 10 days. He explained that the deficiencies were minor and noted that the surveyors were very open, helpful and fair. Mr. Moorehead invited those present to a celebration BBQ that will be held from 11:30 to 1:30 the following day as a way of recognizing the staff for the great job they did. He expressed his appreciation for the work T. Dubois has done in assuming the responsibility of Acting Director of Nursing, and for the staff, who have done a great job. Comm. Holden added that it was not just the staff, but was also due to his leadership.

Mr. Moorehead informed the Board that units C-3 and C-4 have been experiencing respiratory issues. They informed the Board of Health and have been working with them closely; the patients have been treated and have responded, and as of yesterday, there were no new cases in the building. He added that visitors are discouraged from visiting when issues such as this occur.

8. County Attorney

Case Management System Grant

County Attorney, D. Hogan provided an update relative to his Department's proposed Case Management System grant application. He explained that he presented his request to the Executive Committee to see if it was interested in appropriating the funds; he reported that it was not interested in doing that, so he was reporting back to the Board so that it could address the acceptance of the grant.

Motion: To respectfully decline the grant award for the County Attorney's Office Case Management System at this time. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Comm. Holden added that the request came in late, was not a part of the budget process, and there is no funding available.

Comm. Ziehm joined the meeting. She was delayed due to a vehicle problem.

10. Old/New Business

Mr. Wenger updated the Board relative to the relocation of the County Attorney's Office and staff to 300 Chestnut Street. He added that the move is scheduled for Monday, October 17th; furniture was delivered to the new location the previous Monday and cubicles are being installed. Mr. Wenger informed those present that the State plans for the Court to be open on October 20th. He offered his appreciation for the work done by M. Rioux, P. Boardman as well as the County Attorney's efforts and cooperation with respect to this move.

Mr. Wenger informed the Board that the County will be terminating the lease at 30 Temple Street as of that Friday, October 21st. There will be some clean-up of furniture, and there is trash that will have to be removed. He added that he has spoken with the Interim Superintendent and is anticipating help from the DOC with the final clean-up.

Mr. Wenger added that the Board has received correspondence from Chief Justice Dalianis with respect to the State's request regarding its proposal for Video Conferencing. He added that the project also requires a financial commitment from the County. The County is being asked to provide:

- Installation of internet service with a minimum band width of 768 K
- Ongoing internet access fees to support operation of the Video Conferencing equipment
- Licenses, support and maintenance after the first year

The State funds will pay for:

- Purchase and installation of the Video Conferencing equipment in 25 courts, 7 Houses of Corrections and 1 State Prison site.
- Licenses, support and maintenance for the first year

Mr. Wenger added that the letter suggests that ongoing annual costs are estimated at \$1,000; C.J. Dalianis is requesting the County's support. Discussion ensued relative to the Departments being affected, namely, the Sheriff's Department, The Department of Corrections and the County Attorney's office. The Board decided to take the issue under advisement until those affected can provide information; the Board asked for input from those impacted relative to costs and savings; Mr. Wenger responded that more information relative to costs may be available once the bids have been received by the State. The Board will address the issue again at a future meeting and requested that Mr. Wenger set up a meeting with the Chief Justice to discuss the project.

U. S. Board on Geographic Names Request

Mr. Wenger referred the Board to the letter in its packet from the U. S. Board on Geographic Names relative to a requested name change of a pond in Hillsborough County. The U. S. Board on Geographic Names has received requests to change the name of Jew Pond in the Town of Mont Vernon to either Carleton Pond or Frog Pond. Comm. Holden added that it is her belief that the wishes of the Town of Mont Vernon should be given consideration; the Town does not support changing the name, but if it must be changed, it prefers the name Carleton Pond. Discussion ensued; Comm. Ziehm noted that if the Board took no action, the Board on Geographic Names would consider Hillsborough County's position as neutral. The Board decided to delay further discussion and any recommendation until the next Board Meeting.

Superintendent Search

Mr. Wenger updated the Board relative to the Superintendent search group. He added that the following will participate: the Board of Commissioners, Judge Leary, S. Stearns, representing the Mental Health Courts, Rep. Chandler, who is a Representative and former Superintendent, Att'y D. Horan who has experience in both the County Attorney's Office and as President of the Manchester Bar Association, and T. Noonan from organized Labor; completing the Group will be Legal Counsel, the Sheriff, the County Attorney and the County Administrator. Mr. Wenger added that he has not found a representative from the Police community. Discussion ensued relative to a representative from the Police community. Mr. Wenger added that the next step will be to work out potential dates. Comm. Pappas asked if the majority of the inmates were from Manchester and if Chief Mara should be included. Int. Supt Dionne responded

that the majority of inmates are, in fact, from Manchester. The Board agreed that someone from each District would be asked to participate.

Discussion ensued relative to having each of the Districts involved in the Study Groups; Comm. Holden added that her District is not represented.

Mr. Wenger referred the Board to the FY 2010 Annual Audit that has been received for its review. He explained that the Audit still has a flag relative to the post employment benefits, but added that he appreciates that the Delegation approved the funding to provide for a consultant to address the issue in the current fiscal year. Mr. Wenger informed the Board that the County has had to supply the Federal Government with supplemental information relative to grants as a result of the flag.

Mr. Wenger informed the Board that he has an engagement letter that will serve to engage Vachon Clukay & Co. for the Board's consideration; this is the second year of a three-year contract. He added that this year's Audit is underway; the Auditors have been to the Nursing Home and will be in the Business Office on October 23rd.

Motion: To accept the FY 2010 Annual Audit. Motion by Comm. Holden, second by Comm. Pappas.

Comm. Holden added that it was a very favorable audit; the only issue was the lack of compliance with the GASB requirements; she noted that she is happy that the County will be working to come into compliance.

Comm. Ziehm asked relative to overstatement of Capital Assets; Mr. Wenger explained that this is an adjustment to that line; it represents amounts that are typically considered bad debt that are written off once they are considered uncollectable.

Mr. Moorehead explained that in the case of the Nursing Home, the Auditors make an allowance each year for bad debt so when the point is reached that they are written off; there is not an impact on the financial statement unless the amount is over or under the amount that has already been budgeted.

Motion carried to approve the Audit.

Motion: To authorize the Chair to execute the engagement letter with Vachon Clukay & Co. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

11. Public Comments

There was no one present who wished to comment.

10. Non-Public Session

Mr. Wenger requested an opportunity to meet with the Board in Non-Public Session consistent with RSA 91-A:3 II (a) relative to personnel. Comm. Ziehm added that she also has a request to meet in Non-Public Session consistent with RSA 91-A:3 II (a) relative to personnel. Attorney Kirby requested an opportunity to meet with the Board relative to 2 pending litigations, one of which relates to the Nursing Home and the other relates to the Department of Corrections.

The Board recessed the meeting.

Motion: To move into Recess to meet with Counsel. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

The Board moved into Recess at 10:04 a.m.

The meeting reconvened at 10:27.

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

The Board agreed to address the aforementioned issues in Non-Public Session.

Motion: To move into Non-Public Session to meet consistent with RSA 91-A:3 II (a) to discuss a personnel issue. Motion by Comm. Pappas, second by Comm. Holden. Ziehm-yes, Pappas-yes, Holden-yes. Motion carried. Motion carried

The Board moved into Non-Public session at 10:28.

The Board met with Att’y Kirby relative to a personnel issue.

Mr. Wenger withdrew his request for Non-Public Session.

The Board moved out of Non-Public Session at 11:07 a.m.

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

The Board held a brief discussion and agreed to return to Non-Public Session.

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

The Board returned to Non-Public Session at 11:10 p.m.

The Board met with Mr. Wenger relative to a personnel issue.

The Board moved out of Non-Public Session at 12:06.p.m.

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

Comm. Ziehm asked the Board if it wished to take any further action.

Motion: To authorize Legal Counsel to sign off on some modifications of the Nursing Home AFSCME Agreement for Therapy Liaisons. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To authorize Legal Counsel to authorize settlement in a Department of Corrections case in the amount discussed. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Ziehm asked about the status of the County Policy. Mr. Wenger responded that he would organize the material from the Departments for presentation to the Board. He noted that the next step would be to request that the Board give consideration to amending the Policies, at which time the Board would have to post and schedule a meeting with respect to the change in Policies. He added that he will make that a priority and return with a proposed Draft Policy for the Board's consideration at an upcoming meeting.

Mr. Wenger informed the Board that the Tax Bills have been signed by the Treasurer and are ready to go out; he added that the Commissioner's Towns and Cities will be receiving them and expressed his hope that the Commissioners will be applauded for their efforts.

Mr. Wenger noted that while it was his understanding that the Commissioners would take a back seat in the Study Group Meetings to encourage more open discussion, based on discussions, he would recommend that each Commissioner take authority for running the Study Group Meetings that she is attending. The Commissioners agreed to consider the recommendation.

11. Adjourn

There being no further business, Comm. Ziehm entertained a motion to adjourn.

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

The meeting adjourned at 12:10 p.m.

Approved 10/19/11

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

Date