

Regular Meeting of the  
Hillsborough County Board of Commissioners  
October 9, 2008  
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. T. Pappas, Comm. C. Holden, Comm. M. Clemons, J. O'Mara, C. Kirby, B. Moorehead, E. Robinson, M. Rusch, G. Wenger, L. Movsesian, D. Reidy, and L. Stonner

**1. Pledge to the Flag**

Comm. Pappas called the meeting to order at 9:32 a.m. followed by the Pledge to the Flag led by Comm. Holden.

Comm. Pappas noted that the Board would meet in Non-Public Session with E. Robinson.

**Motion:** To move into Non-Public session under RSA 91-A:3 II (a) to meet with E. Robinson for a discussion relative to personnel. By Comm. Holden, second by Clemons. Clemons-yes, Holden-yes, Pappas-yes. Motion carried.

The Board entered Non-Public session at 9:35 a.m. The Board met with Ms. Robinson for her annual performance evaluation. The Board took no action during Non-Public Session.

The Board moved out of Non-Public session at 10:05 a.m.

**Motion:** To move out of Non-Public session. By Comm. Holden, second by Clemons. Motion carried.

**2. Christopher Pappas, Treasurer – Investment Policy**

Hillsborough County Treasurer, Christopher Pappas, presented a revised Hillsborough County Investment Policy for the Board's consideration. He explained the timeliness of reviewing the policy today in light of our present market turmoil and mentioned that members of the public have questioned him relative to the County's investments. He recommended that the County's priorities include the safety and security of the County's funds as well as ensuring that every single investment is fully collateralized with the Federal Reserve as required by New Hampshire RSA's. He noted that there is essentially zero risk of incurring any type of loss unless the Federal Government goes out of business, whether funds are in a Certificate of Deposit, Money Market or in a Re-Purchase Agreement.

Mr. Pappas noted that the Investment Policy was originally presented by former Treasurer Fredette in 2003. Today's recommendation includes a few changes relative to transparency, yield and liquidity. He noted that the recommended changes focus on safety, security, yield, and the importance of liquidity should the County need money on a short-term basis. He recommended that while yield is important, the County would not want to sacrifice safety or liquidity. He informed the Board that on Page 3, he added the following: *"Whenever possible, the County Treasurer shall open a competitive bidding process prior to making an investment in an effort to maximize yield. In addition to yield, the County Treasurer shall consider the County's entire financial position including factors such as liquidity, safety, and banking services when making an investment."* Mr. Pappas noted that when reviewing individual maturities, some time periods are so short there is not time to use the bidding process, but the bidding process should be followed whenever possible. He indicated that when time permits, he contacts several banks for the best rate. He explained that the County uses Citizen's Bank for many of its investment services, noting that the key service they offer is the web-based cash management, which Claire French, Staff Accountant, can access every day. He explained that she can see every debit that is made in real time, every check when it

posts, every check when it has cleared and the overnight sweep (any excess money in the cash account that is put into an investment). She can track what is happening with the County's major accounts on a minute-to-minute basis. He stressed that when reviewing banks in the future, it is essential to have a web-based cash management program to ensure that Mrs. French is able to continue to keep her eye on those accounts.

He recommended the addition of a paragraph called: Transparency, located on Page 4. This relates to transparency and the openness of the County's investments and financial records. He offered to meet with anyone who requested financial information.

On Page 5, under Policy Review, Mr. Pappas recommended the addition of the word "*annually*" in the first sentence so that it would read: "*The Hillsborough County Treasurer shall review this Investment Policy annually and make changes when necessary.*"

Mr. Pappas explained that he looks forward to working with the Board and the County going forward, and to making sure the investments are secure and that the County gets the best deal it can on its accounts.

**Motion:** To approve the Hillsborough County Investment Policy, as presented on 10/9/08 by Christopher Pappas, County Treasurer. By Comm. Clemons, second by Comm. Holden. Motion carried.

### 3. Minutes

September 24, 2008

**Motion:** To approve the minutes of September 24, 2008. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Wenger informed the Board that the 2007 and 2008 Board minutes are now listed on the Hillsborough County website and noted that we are in process of updating and changing our website. He noted the practice of adding minutes is not finalized, but his expectation is that the minutes will continue to be posted with an indication of the date that they were signed. He suggested that the Board not put any signatures on the website, and the official records will continue to be maintained in the Commissioner's Office. They are accessible on the website by selecting "Minutes & Agendas" under the Board of Commissioners. He noted that the new website is still under construction and he would come back to the Board for final review and approval of the redesigned website.

Comm. Clemons asked about posting the minutes once they are typed, yet still pending approval of the Commissioners. Mr. Wenger noted that could be done, but expressed concern with posting draft documents that are subject to substantive change. He noted that if the Commissioners make a change to what is already posted online, a member of the public might already have printed them, and it would be very difficult to correct information that is out there. He explained that the draft minutes are available in the Business Office. Mr. Wenger noted that he will follow the Board's wish, whatever direction it chooses to follow, and noted that there is an obligation to have them available to the public. Comm. Holden noted a Commissioner or a Department Head might request a change, and if it is out there, she wondered if the County would then need to document the changes and the date. She expressed her belief that the minutes should be approved prior to posting them online. Comm. Clemons indicated that he would go along with Comm. Holden, but that he would like to research the subject further. Mr. Wenger stressed the importance of being consistent once the County starts posting its minutes. M. Rusch inquired if the Delegation and Executive Committee would be included, to which Mr. Wenger replied in the affirmative. He noted that

the process is somewhat complex at this time, but that it could be done now or wait until the new website is completed. Mr. Wenger noted that with the new website, a simpler process is being developed and the Departments will have the ability and responsibility to post their information on the website. He further explained that as we go forward, the objective would be to make the process simple enough so that any public document could be viewed online. Comm. Holden provided an example of a good community website that she was referred to; it is that of Maui, Hawaii.

#### **4. Business Office**

##### Approval of Payroll Register

**Motion:** To approve the Payroll Register dated 10/2/08 in the amount of \$1,151,805.92, subject to review and audit. Motion by Comm. Clemons, second by Comm. Holden. Motion carried unanimously.

##### Approval of Accounts Payable Register

**Motion:** To approve the Accounts Payable Register dated 10/7/08 in the amount of \$5,870,660.92 subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

##### Bid # CIS-4-2009 – Coop Extension – Presentation Projector

**Motion:** To approve Bid # CIS-4-2009 for the Cooperative Extension – Presentation Projector to GovConnection, Inc., Merrimack, NH at a unit price of \$1,692.33. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

##### Bid # CIS-5-2009 – Cisco Phones & Side Cars

**Motion:** To approve Bid # 4151-7970 for new Equipment for the Computer Department for Cisco Phones & Side Cars to Presidio Network Solutions, Woburn, Ma., for \$10,119.20, noting it is a Single Source Bidder, as allowed under RSA 28:8-e V. Motion by Comm. Clemons, second by Comm. Holden.

Mr. Wenger explained that this is for additional telephones, which were identified and need to be approved in order for the project to move forward. Mr. Wenger expressed his hope that the County would be receiving credits for some of the expenditures for equipment that will be sent back. He is hopeful that the project will be done within the next four to six weeks.

Motion carried unanimously.

#### **5. Department of Corrections**

##### Census

Superintendent O'Mara presented the Department of Corrections' Census dated October 2, 2008. He reported that the DOC is holding 603 Inmates in custody. There are 536 men, which includes 183 that have been sentenced and 353 that are being held pre-trial. There are 67 women, which includes 16 that have been sentenced and 51 that are being held pre-trial.

Mr. O'Mara presented a request for two Non-Public sessions, one relative to personnel and the other is a legal issue to discuss with Counsel.

## 6. Nursing Home

### Census

Mr. Moorehead was recognized. He presented the Nursing Home Census, noting that as of October 2, the Census was 280, which included 202 Medicaid residents, 43 private pay residents, and 35 Medicare Part A residents. Mr. Moorehead noted that, as promised, he forwarded to L. Stonner a revised copy of the Census for the period of late August through early September in which an error was noted; there was an error related to a bed-hold.

### Bid # 05-2009 – Insulated Dome Covers

Mr. Moorehead presented Bid # 05-2009 for Insulated Dome Covers, providing pertinent bid information.

**Motion:** To approve Bid # 05-2009 for Insulated Dome Covers at the Nursing Home to Perkins Equipment, Manchester, NH, noting that the bid is two cents lower per unit, at a price of \$3,795.00; it is the lowest responsible bidder; the next bid was \$4.50 more. Comm Holden noted that the bidding process does work. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Clemons inquired regarding how much flexibility the Board has in the situation where the bids are very close but the local bidder is slightly higher. He inquired if there any provisions that allow bids to be awarded locally in such situations. Comm. Pappas explained that the Board attempts to use local bidders whenever possible. Discussion ensued relative to items that can affect a bid, such as service, shipping and mailing costs, which sometimes make a difference. The Board does its best to use local suppliers, but sometimes the bid is lower with an outside supplier, and it would win the bid.

### Bid # 07-2009 – Vital Signs Monitors

Mr. Moorehead presented Bid # 07-2009 for Vital Signs Monitors, providing pertinent information. He indicated that the lowest responsible bidder is Gulf South Medical from Londonderry, NH and noted that these are the monitors that monitor blood pressure, temperature and oxygen levels in one small machine; it is easily carried from room-to-room, and is a time saver.

**Motion:** To Approve Bid # 07-2009 for Vital Signs Monitors for the Nursing Home, from Gulf South Medical, Londonderry, NH, for a total price of \$7,326.21, noting that it is the lowest responsible bidder. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

### Bid # 10-2009 – Outdoor Sprinkler Heads

Mr. Moorehead presented Bid # 10-2009 for outside sprinklers. He noted that there is a regulation, which requires outdoor sprinklers for any area that exceeds four feet. He informed the Board that the areas in question at the Nursing Home are the outside Ambulance entrance, the airlock entrance located at the east side of the building, the smoking hut, and the canopy outside the therapy area. He recommended REM-C Fire Protection System, Inc., Hooksett, NH, noting that its bid is \$10,100.

**Motion:** To approve Bid # 10-2009 for Outside Sprinkler Heads, as described by the Administrator, to REM-C Fire Protection System, Inc., Hooksett, NH, for \$10,100, noting it is the lowest responsible bidder. Motion by Comm. Holden, second by Comm. Clemons.

Comm. Clemons inquired about who brought the need for these additions to the Administrator's attention. Mr. Moorehead responded that it surfaced as a Life Safety issue during the recent State survey visit/inspection and is a part of the Nursing Home's Plan of Correction relative to that State Survey. He noted that he may need to request an extension to the Plan of Correction, explaining that is not unusual, and that it is primarily dependent on the vendor's schedule. Mr. Moorehead noted that the fire protection companies have indicated that this issue is being cited frequently now in many Nursing Homes, with subsequent requirements that the outdoor sprinklers be installed.

Motion carried.

#### August 2008 Revenue

Mr. Moorehead presented the August revenue report (unaudited-booked, not cash), and informed the Board that the budget for August was \$1,655,673, while the actual was \$1,731,742 resulting in a positive difference of \$76,069.

#### Fiscal 2008 Revenue

Mr. Moorehead referred the Board to the spreadsheet in their packet, which calculates Fiscal year 2008. He noted that these funds are booked, not cash, and while unaudited, they are relatively close to the trial balance that Mr. Moorehead has at this time. He summarized, noting that the actual revenue for the year is \$24,003,498 while the budgeted amount is \$23,029,593, which results in a positive variance of \$973,905. He noted that this positive variance is attributed to a better mix of residents, better budgeting, a better than average Medicare, Part A rate; for the first part of the year, and the Nursing Home realizing a Medicaid rate that was higher than budget due to a high case-mix index.

#### Position Change Request: 2 RN to 2 LPN

Mr. Moorehead presented a request for two position changes. The request is to change one (1) full-time RN position (Position #303312010) and one (1) full-time RN change (Position #303312007 to two (2) full-time LPN positions, noting that the request is necessary due to under-estimating the mix of full-time LPN's that the Nursing Home would hire and over-estimating the positions needed for RN's. Mr. Moorehead further explained that these changes would create a potential net savings to the County of \$26,752 and does not create any regulatory issues. The request includes Mr. Moorehead's recommendation for keeping the existing RN positions funded at \$1.00 each.

**Motion:** To accept the positions change as requested by Mr. Moorehead, eliminating two RN positions, funding them at \$1.00, and changing them to two full-time LPN positions. By Comm. Clemons, second by Comm. Holden.

Comm. Clemons inquired if the positions in question were currently vacant, to which Mr. Moorehead responded that they are vacant.

Motion carried.

#### LNA per Diem Rate

Mr. Moorehead asked the Board to ignore the LNA per Diem Rate agenda item at this time, and requested a conversation in Non-Public session relative to Salaries and Wages under RSA 91-A:3 II (a).

### **7. Public comments on Agenda items**

No members of the Public addressed the Board.

The County Attorney, M. Wageling, informed the Board that she has been invited to go to Manchester District Court; they apparently have space available for the Domestic Violence Unit and wish to make sure it will be acceptable. Discussion ensued relative to whether there will be a cost involved. M. Wageling indicated that she is hoping it will be at no cost, and she will work toward that result. Mr. Wenger noted that there might be a statutory requirement involved.

M. Rusch informed the Board that the Next meeting of the Executive Committee will be held on Friday, October 17 at 9:00 a.m. The November meeting will be held on November 21 at 9:00 a.m.

Comm. Clemons inquired about the status of the sign for the UNH Coop Extension that he raised at the last meeting. Mr. Wenger replied that he has received a template from D. Reidy; there is a construction meeting this afternoon where signs will be a topic. He indicated that there will be some sort of identifying sign and he is moving forward with the request.

Comm. Clemons informed the Board that he wishes to address three issues in Non-Public session, one relative to negotiation and two relative to personnel issues.

### **8. Old/New Business**

Mr. O'Mara invited the Board to attend the thirty-ninth Hillsborough County Corrections Academy graduation to be held this coming Friday.

Comm. Holden reported that she received a thank you from the Amherst Town Library for the Inmates contribution to the community and presented a copy of the letter to the Secretary for inclusion in the permanent record.

Comm. Holden reported that she participated in two White House conference calls in the past couple of days and will participate in a conference call today relative to the rescue package with Dick Gillespie, advisor to the President, on the issues and its impact on counties and local municipalities. She explained that there were questions about whether or not State and local municipalities would be covered under the rescue plan and reported that there is no authority for that; the counties fared better in terms of what was included in the package. She will keep the Board apprised of any news.

Comm. Holden reported that the Right To Know Commission met on September 26 and addressed the issue of personal e-mail accounts; she noted that the Commission meets for another year.

Comm. Holden indicated that she attended the Goffstown Rail Trail meeting and groundbreaking on October 4. She discovered that there has been activity on the trail on County property where a boulder had been moved and a ramp had been constructed; a more permanent barrier will be constructed.

Comm. Holden reported that the Board would be meeting with the Goffstown Selectmen on November 5 at 10:00.

Comm. Holden informed the Board that NACo has been working on a new Leadership Book, which will be published soon, noting it is published every four years. She will notify the Board when it is available; it will also be available on line.

Mr. Moorehead showed the Board a thick packet of stimulus applications for residents that will be submitted by tomorrow, noting that the IRS came in and was very helpful in the process.

Comm. Pappas reported that the NH Association of Counties convention was very successful and two Hillsborough County people received awards: Lisa Adams from the Registrar of Deeds' office and Judith MacDonald, Registrar of Deeds.

Comm. Holden informed the Board about plans for a party to honor Ms. MacDonald on October 24 from 2:00 to 4:00 p.m. at the Registry. The Board discussed a plaque that includes the County Seal; Mr. Wenger referred the Board to the website: [engravingawardsgifts.com](http://engravingawardsgifts.com). Comm. Pappas will gather information and contact Mr. Wenger to coordinate the plaque and to disseminate information.

Mr. Wenger suggested that the Board renew the First Seniority Retiree Health Care insurance. He noted that the new rates have increased by approximately 10% from \$195 to \$216 and it is time to renew. He noted that the County has had great success with this program; more than half of the retirees have moved to this program. He recommended continuing this program for the retirees and noted that there will be a need to discuss the retiree insurance program with the auditor because beginning next year, there are significant accounting implications for those retirees that continue in the Harvard Pilgrim program that the County employees have. He noted that the retirees that have not moved to First Seniority continue to be in the employee pool, and are rated with the employee pool, therefore the employees in the County are subsidizing the retirees. He further noted that because of this, there is a tax implication next year that would require actuarial work to be done, resulting in a charge against the County. He further noted that a determining factor in going to First Seniority is that it is a pool all to itself; the employees are no longer supplementing that. He indicated that as we move forward over the next couple of months, he would likely re-visit this issue with the Board relative to whether or not the County choose to move all retirees into the First Seniority and stop offering the other plan. He summarized by saying that today he is only looking for authority to continue with the First Seniority, a very successful program.

**Motion:** To renew the First Seniority Retiree Health Insurance program for another year. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Wenger updated the Board relative to the parking lot parking spaces and signage. He noted that the design goal is to keep County parking along the front and parking for the District Court and public parking in the large lot. He requested input from the Board about whether it wants to have identified Commissioner reserved parking. He noted that the three spaces in the front to the left of the door will be accessible parking, noting that the delivery people are having issues, and that area may be a temporary delivery area so perhaps it will be a multi-purpose space. He noted that on the other side, there are five designated Accessible Parking Spaces, which meet the requirement. Mr. Wenger expressed his thanks to all the employees and the departments for their cooperation during the paving project, which was extended due to inclement weather.

Mr. Wenger noted that progress on the second floor is somewhat behind, but moving along expeditiously; the inspectors are working with the construction crew, and the HVAC and the wallboard are being installed.

Mr. Wenger noted that C. Pappas signed the tax bills and they will be sent to the various communities within the next day.

Comm. Pappas requested that the Board move into Non-Public sessions to address earlier requests.

**Motion:** To move into Non-Public Session:

- with Supt. O'Mara, Department of Corrections, under RSA 91-A:3 II (a) relative to a personnel issue, and under RSA 91-A:3 II (e) to consult with Counsel relative to litigation.
- with Mr. Moorehead, Nursing Home, under RSA 91-A:3 II (a) relative to salary and wages;
- at the request of Comm. Clemons, under RSA 91-A:3 II (a) relative to personnel and under RSA 91-A:3 II (e) relative to negotiations. Motion made by Comm. Holden, second by Comm. Clemons. Holden, yes; Clemons, yes; Pappas, yes. Motion carried.

The Board entered Non-Public Session at 11:07 a.m. The Board met with Supt. O'Mara relative to a personnel issue at the Department of Corrections, and to consult with Counsel relative to pending litigation.

The Board then met with Mr. Moorehead to discuss a personnel issue relative to salary and wages, and lastly, the Board held a discussion at the request of Comm. Clemons relative to a personnel inquiry and for a general discussion and update relative to negotiations.

The Board took no action during Non-Public Session and agreed to address any requests for action in Public Session.

The Board moved out of Non-Public session at 12:07 p.m.

**Motion:** To move out of Non-Public session. By Comm. Holden, second by Clemons. Motion carried.

**Motion:** To approve the recommendation of Mr. Moorehead for a \$1.00 per hour increase for the Hillsborough County Nursing Home LNA per diem rate, effective November 1, 2008, noting that if approved by the Board, it would increase the per diem rate for LNA's to \$14.00 per hour. Comm. Holden noted that Mr. Moorehead also requested an increase in the weekend shift differential from \$2.00 per hour to \$4.00 per hour. Motion made to accept the recommendations of Mr. Moorehead by Comm. Holden, second by Comm. Clemons.

Comm. Holden asked to have the record reflect that Mr. Moorehead provided the Board with the per diem rate versus the current (higher) agency staff hourly rate for LNA's and indicated that there is a potential for a \$20,800 savings per year using the 1.0 FTE per diem versus agency. She further noted that with the LNA per diem rate versus the LNA overtime rate there is a potential savings of \$15,558; the reason for this action is to improve the continuity of care to the residents, and the cost will be absorbed in the current nursing department budget.

Motion carried.

**Motion:** To approve settlement as discussed with outside legal counsel. By Comm. Clemons, second by Comm. Pappas. Commissioners Clemons and Pappas voted in the affirmative with Comm. Holden voting against the motion. Motion carried.

#### **10. Adjourn**

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

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

The meeting adjourned at 12:11 p.m.

*(SIGNED 10/22/08)*

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Comm. Michael Clemons, Clerk  
Hillsborough County Board of Commissioners

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Date