

Regular Meeting of the
Hillsborough County Board of Commissioners

October 11, 2007
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, L. Movsesian, G. Wenger, J. O'Mara, C. Kirby, M. Rusch, B. Moorehead, A. Durette, J. Hardy, P. Flood, and L. Stonner

1. Pledge to the Flag

Comm. Holden called the meeting to order at 3:40 p.m. B. Moorehead led those present in the Pledge to the Flag.

2. Business Office

Approval of Payroll Register

Motion: To approve the Payroll Register dated 10/04/2007, in the amount of \$1,048,965.84 subject to review and audit. By Comm. Clemons, second by Comm. Holden: Motion carried.

Approval of Accounts Payable Register

Motion: To approve the Accounts Payable Register dated 10/09/2007 in the amount of \$4,829,144.57, subject to review and audit. By Comm. Clemons, second by Comm Holden: Motion carried.

Sheriff's Extradition Voucher

Motion: To approve the Extradition Voucher dated 8/02/2007 to 8/04/2007. The amount of the voucher is \$3,058.17, subject to review and audit, and noting it was reviewed by the County Attorney. By Comm. Clemons, second by Comm. Holden: Motion carried

3. Department of Corrections

Census

J. O'Mara was recognized. He informed the Board that the census at the facility as of October 4, 2007 was 535. He explained that 475 were men, of whom 156 were sentenced, and 319 were being held pre-trial. He noted that they are holding 60 women; 17 were sentenced, 42 were being held pre-trial, and 1 was being held for the NH State Prison. .

Bid # FY08-47 – Laundry Detergent – Softener – Bleach

Mr. O'Mara presented Bid # FY08-47 for Laundry Detergent, Softener, and Bleach. The Commissioners reviewed the bid material before them.

Motion: To award Bid # FY08-47 for Laundry Detergent, Softener, and Bleach to Patriot Chemicals, 14 South Main St., Derry, NH, at a combined price of \$126, noting that it is the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden: Motion carried.

Bid # FY08-70 – Vinyl Gloves – Food Service

Mr. O'Mara presented Bid # FY08-70 for Vinyl Gloves used by Food Service. The Commissioners reviewed the bid material before them.

Motion: To approve Bid # FY08-70, Vinyl Gloves for the Food Service Department, purchasing them from Corporate Express, 15 Rye Street, Portsmouth, NH, at a cost of \$21.80 per case, noting that it is the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden: Motion carried.

4. Nursing Home

B. Moorehead, Nursing Home Administrator, was recognized. He referred the Commissioners to the Census Report, noting that the Census as of October 4 was 282 Residents – this included 212 Medicaid, 40 Private-Pay and 30 Medicare Part A Residents. He said that today's census was 284.

State Survey Plan of Correction

Mr. Moorehead presented a brief update regarding a Plan of Correction that was submitted to the Bureau Chief of Department of Health and Human Services-Office of Operating Support. Included was a list of deficiencies with a correction for each problem. He indicated they are expected to be in compliance by October 29. He explained that thirteen deficiencies were cited, noting that each deficiency is cited with the scope and severity ranging from the letter A to the letter L. He reported that the cited deficiencies included one D, several B's, and two C's, four involved a transfer/discharge, and three involved MDS's. He noted that seven of these "tags," were appealed. Mr. Moorehead indicated that he will probably receive information regarding his appeal within the next three or four weeks.

Comm. Clemons asked Mr. Moorehead how he would compare the current Survey and deficiencies with past surveys. Mr. Moorehead explained that regarding ease of compliance and comments from the Survey Team, he would consider this survey very good, if not exceptional, noting that none of the deficiencies were severe.

September Revenue

B. Moorehead reported that the September Revenue was \$1,604,980, resulting in a variance of \$66,920 over budget.

5. Sheriff's Office

Sheriff Hardy was recognized. He introduced P. Flood who presented two bids for the Board's consideration.

Bid # 08-010 – Patrol Rifles

P. Flood presented Bid # 08-010 for four Patrol Rifles at a cost of \$900 each, for a total of \$3,600. He recommended Phoenix Distributors of Feasterville, PA, as the lowest responsible bidder, noting it is one of only two distributors who offer the weapon as specified.

Motion: To approve Bid # 08-010, as stated. Moved by Comm. Clemons, second by Comm. Holden. Motion carried.

Bid # 08-011 – Mobile Radio

P. Flood explained that Bid # 08-011 is for a Mobile Radio for the new Transport Van that is on order, noting that it is a State bid item, direct from Motorola, Inc., at a State bid price of \$3,603.40.

Motion: To approve Bid # 08-011, for the County Sheriff's Department for a total of \$3,603.40, as stated. By Comm. Clemons, second by Comm. Holden: Motion carried.

Sheriff Hardy acknowledged that he wished to meet with the Board to discuss collective bargaining negotiations during the meeting.

Delegation

M. Rusch reported that the Delegation's next meeting is Friday, October 26 at 9:00 a.m.; the meeting in November is scheduled for the week after Thanksgiving.

6. Public Comments on Agenda items

No members of the public were present.

7. Old/New Business

Department of Labor

Mr. Moorehead informed the Board that the NH Department of Labor was at the Nursing Home last week and will be returning. He indicated that it was his understanding, based on questions asked, that they were looking at a number of issues including the policy for fringe benefits, payroll records, time cards for the period of October 1 through the present, alternate duty, boilers and elevators, and procedures for maintenance personnel who are on call and are called in during off-hours. Comm. Clemons inquired if these were union issues. Mr. O'Mara was recognized and spoke of his experiences in similar situations in the past. He informed the Board that when an employee makes a claim to the Department of Labor concerning payroll practices in a government entity, immediately the burden shifts to the employer. He explained that if an employee complained about 15 things at the DOC, for example, he would be responsible for finding all the related documents that support the County's position. Mr. Moorehead explained that he spent time with the Investigators and the Business Office, providing them with all the information they requested; he expects them to return by next week.

Change a Light Campaign

Comm. Holden spoke about the "Change a Light" campaign. She reported that Hillsborough County is signed up for the campaign which is scheduled to be open to the public. She noted that Wal-Mart has launched a private program with NACo that offers four fluorescent light bulbs for the cost of three under the Great Value brand name with a variety of quantities and wattages available, including four-packs that cost \$7.58 and six-packs that cost \$13.13. Comm. Clemons indicated that he has already converted his own house, but he will sign up for the county program. Comm Holden asked if there is support for the extending the program to the County. The Board decided to collect the necessary information and move forward with the program.

House Bill – 2 Work Group Follow-Up

G. Wenger noted that he had attended two HB 2 workgroup meetings, and that there was a discussion regarding the issue at the Commissioner's Council meeting last week that he had attended along with Comm. Pappas. He recommended moving this discussion to the end of the meeting when Comm. Pappas would be present.

Retirees Insurance Program

G. Wenger was recognized. He outlined a new alternative insurance program that is being offered by Harvard Pilgrim Health Care through Primex for the County's eligible retirees. He explained that presently the County's retirees enrolled in the health insurance program are grouped with current employees for rating

purposes. He explained that though the County does not pay the premium for the retirees, it is effectively subsidizing the program because the retirees are rated in the same pool as the current employees, realizing a reduced premium at the expense of the County and current employees. He explained that this benefit would have to be calculated and reported by the County upon implementation of GASB 45. He explained that in anticipation of this requirement, his office has been exploring alternatives to address the accounting issue and benefit the retirees, county employees, and the County. He explained that as changes to the Medicare program have been implemented, Harvard Pilgrim Health Care has become more involved and has recently developed programs for retirees that it is now offering through the County's insurance provider Primex. He advised the Board that two options were being offered to the County, and he recommend that the Board consider offering its retirees the First Seniority Freedom Premier 1 plan that more closely tracks the present offering. He explained the benefits noting that they are comparable to the program presently offered however, at a cost of \$195.00 per month, which is a savings of close to \$200.00 per month. He noted that this is an annual program, January to December, that there would be a new open enrollment, and that the program will be self-rated thus removing participants from the County's rating pool. He explained that by offering the new lower cost option, the hope and expectation was that retirees would migrate to plan, realize the savings, provide potential savings for current employees, and eliminate the GASB issue. He requested authority to offer the new plan. Following discussion, the Board moved to approve the request.

Motion: To authorize Harvard Pilgrim's First Seniority Freedom Premier 1 plan as an alternative for the County eligible retirees. By Comm. Clemons, second by Comm. Holden.

J. O'Mara inquired if the plan includes mail order for prescriptions. Mr. Wenger informed the Board that the current mail order co-pay is \$0-\$20-\$30 for 90-day mail order or for 30 days at retail. He explained that the new RX plan is \$5-\$10-\$15 for retail and \$10-\$20-\$45 for 90-day mail order. Comm. Holden confirmed that the plan is on a calendar year and that there would be a new open enrollment period.

Motion Carried.

Negotiations – Recess – RSA 91 A:2 (b)

Motion: To recess, under RSA 91-A:2, I(b) – to discuss negotiations. By Comm. Clemons, seconded by Comm. Holden: Holden yes, Clemons, yes. Motion Carried.

The Board recessed at 4:15 p.m.

Motion: to move out of recess. By Comm. Clemons, seconded by Comm. Holden: Motion Carried.

The Board re-convened at 4:40 p.m.

8. Non-Public Session

J. O'Mara requested that the Board go into Non-Public Session under RSA 91-A:3, II(a) to discuss a personnel issue, and consider litigation issues under RSA 91-A:3, II(e)

Motion: To go into non-public session under RSA 91-A:3, II(a) and RSA 91-A:3, II(e) with the Department of Corrections to discuss a personnel issue, and to discuss litigation. By Comm. Clemons, second by Comm. Holden. Clemons: yes, Holden: yes. Motion Carried.

The Board entered non-public session at 4:42 p.m.

J. O'Mara reviewed a personnel matter within his office with the Board indicating that the office is short staffed. He indicated that if necessary he would approach the Board at a future time for temporary assistance. The Board did not take any action.

G. Wenger advised the Board the he is in receipt of a reservation of rights letter from the County's insurance carrier relative to a pending matter.

Commissioner Pappas joined the meeting at this time.

The Board reviewed litigation involving the Department of Corrections including recent court decisions and relevant policies and procedures within the Department. J. O'Mara and C. Kirby reviewed cases with the Board and the status of the claims. The Board did not take action.

The Board came out of non-public session at 5:59 p.m.

Motion: To return to public session. By Comm Clemons, second by Comm. Holden: Holden yes; Clemons, yes, Pappas, yes. Motion carried.

House Bill – 02 Work Group Follow-Up (cont.)

G. Wenger was recognized and he provided the Board with an overview of the HB 02 workgroup meetings that he attended. He informed the Board that he attended the Parental Reimbursement and Transitional Billing meetings as well at the Commissioners' Council meeting, which he attended with Comm. Pappas. He advised the Board that a number of questions had arisen out of the workgroup discussions and suggested that it would be beneficial for the Board to discuss its objectives in light of the County's changing role because of HB 02. He indicated that the issues that require discussion and response to the workgroups include the County's future role in rate-setting, parental re-imburement, and the Incentive Funds program. He suggested that some of the questions for the Board's consideration include: does the County want to continue to have a role in rate-setting, parental re-imburement, or the Incentive Funds program, and if so, to what extent, and at what cost to the State or County. He noted that another important issue for the Board's consideration is the so-called gatekeeper roll, and what position the County intends to take with respect to this. A discussion followed. G. Wenger recommended that the Board include E.A. Robinson and B. Moorehead in its discussion. The Board agreed that it would discuss the matters at its next meeting before taking any further action on behalf of the County. The Board agreed to schedule the discussion as an agenda item for its next meeting and to ask Ms. Robinson and Mr. Moorehead to participate.

9. Adjourn

There being nothing further to discuss, the Board entertained a motion to adjourn.

12. Adjourn

Motion: To adjourn. By Comm. Clemons, second by Comm. Holden: Motion carried.

The meeting adjourned at 6:19 p.m.

(SIGNED 10/25/07)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date