

Regular Meeting of the
Hillsborough County Board of Commissioners
October 12, 2016
Bouchard Building, Goffstown, NH
Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Ziehm, Comm. Pappas, Comm. Rowe, J. Hardy, D. Dionne, G. Fisher, C. Kirby, B. Moorehead, G. Wenger, C. Monier, M. Castonguay, and L. Stonner

CALL TO ORDER

Comm. Ziehm called the meeting to order at 9:04 a.m. Attorney Kirby led those present in the Pledge of Allegiance.

ADMINISTRATIVE BUSINESS

Approval of Minutes

Motion:

To approve the minutes of the Board of Commissioner's Regular Meeting held on September 28, 2016. Motion by Comm. Pappas, second by Comm. Rowe. Motion carried.

Supplemental Payroll

Motion:

To approve the Supplemental Payroll registers for the following dates in the following amounts:

| | |
|-----------|------------|
| 9/28/2016 | \$6,113.36 |
| 9/28/2016 | \$2,025.59 |
| 9/30/2016 | \$4,359.37 |
| 10/6/2016 | \$1,534.43 |
| 10/7/2016 | \$ 246.19 |

The total Supplemental Payroll is \$14,278.94 , subject to review and audit.

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

Motion:

To approve a Regular Payroll Register dated October 6, 2016, in the amount of \$1,142,680.55 subject to review and audit.

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

Accounts Payable

Motion:

To approve an Accounts Payable Register dated October 11, 2016 in the amount of \$4,816,147.39, subject to review and audit.

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

PUBLIC COMMENT ON AGENDA ITEMS

There was no one from the public who wished to comment on Agenda Items.

DEPARTMENT OF CORRECTIONS

Census

Supt. Dionne presented the Department of Correction's (DOC's) Census; he noted that as of October 4, 2016, the total in custody was 450, which included 17 in the community. The Census included 368 men; 116 of the men had been sentenced and 252 were being held pre-trial. There were 82 women; 30 of the women had been sentenced and 52 were being held pre-trial.

Supt. Dionne noted that the Department of Corrections was holding 28 female inmates from Rockingham County, and he added that 159 individuals were diverted through the Mental Health Courts including 89 from Manchester and 70 from Nashua.

Overtime Impact Report

Supt. Dionne noted that the DOC's Overtime Impact Report is included in the Board's packet. He added that as a result of significant overtime, he will be coming to the next Board meeting with a transfer request.

Bid # FY17-65 – Two-Way Radio Service

Motion:

To approve Bid # FY17-65 for a two-way radio service contract for one-year for the DOC and to award the bid to R & R Communications, Swanzey NH, at a price of \$7,050. The bid includes a request to waive competitive bidding consistent with RSA 28:8-e V.

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

Supt. Dionne shared an invitation for the Officer Candidate Graduation with the Board. The graduation will be held on Friday, October 14th at 1:00 p.m. He noted that 15 candidates will be graduating and the DOC will be starting another Academy in the near future because there are still 16 openings.

NURSING HOME

Census

Mr. Moorehead provided Census information for the Nursing Home. He noted that the Census, as of October 6, 2016 was 285; it included 217 Medicaid residents, 37 private pay residents and 31 Medicare, Part A residents. He added that the Census dipped a bit after the previous weekend due to discharges and several expirations, but they are expecting admissions today and he is hopeful that the census will bounce back.

September Revenue

Mr. Moorehead presented the unaudited Nursing Home Revenue for September. He noted that budgeted Revenue for Room & Board and ancillaries for August was \$1,981,057 while the actual was \$1,990,169, a positive variance of \$9,112. He added that the facility has not received Pro Share or Bed Tax payments in the current fiscal year.

FY 2017 Revenue Year-to-Date

Mr. Moorehead presented Year-to-Date Revenue for FY 2017. He explained that the budgeted Revenue for Room & Board and ancillaries for FY 2017 through the end of September was \$5,943,171, while the actual was \$5,984,675, a positive variance of \$41,504.

Request Approval to Fill Position # 303312010, RN Charge, funded at \$1

Mr. Moorehead noted that he is requesting approval to fill Position # 303312010, RN Charge, funded at \$1. He added that the employee was hired and put into a vacant RN position, and the employee later accepted an RN Charge position. He added that the only vacant RN Charge position was funded at \$1.

Motion:

To approve Nursing Home's request to fill Position #303312010, RN Charge, that position is currently funded at \$1.

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

Request Approval to Fill Position # 305041002, Rehab Tech, funded at \$1

Mr. Moorehead noted that he is requesting approval to Fill Position # 305041002, Rehab Tech that is currently funded at \$1. He added that a FT Therapy Liaison position was vacated, and to better meet the demands of the department, the FT Rehab Tech position, funded at \$1 was filled instead of the FT Therapy Liaison position. He added that the department will be well under budget by the end of the year; and noted that in the Nursing Department, he anticipates being \$750,000 to \$800,000 under budget, however, some of that will be needed to cover overtime.

In response to a question from Comm. Ziehm, Mr. Moorehead noted that Rehab Part B revenues have increased significantly between 2015 and 2016, as has the Part A census, which is driving a great deal of therapy; it is one of the major components of revenue.

Motion:

To approve Mr. Moorehead's request to fill Position #305041002, Rehab Tech, currently funded at \$1.

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

Request Approval to Convert FT Driver/Messenger, Position # 905212001, funded at \$1 to a Part-Time Driver/Messenger Position

Motion:

To approve Mr. Moorehead's request to convert full time Driver/Messenger, Position # 905212001, funded at \$1 to a part-time Driver/Messenger Position.

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

Bid # 07-2017 – Hospice Services

Motion:

To approve Bid # 07-2017 for Hospice Services at the Nursing Home, noting that the highest responsible bidder is Home Health & Hospice Care, Merrimack, NH; there is no fee.

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

Mr. Moorehead explained that GIP, as illustrated on the previous bid, represents “General In-Patient.” He added that when a patient goes to hospice care, which is typically the last 5-7 days of life, the care is intense; by changing the status of a patient to a GIP classification, it drives higher care and higher acuity. The Nursing Home’s rate is 85% of GIP for this vendor; the hospice rate is currently \$738/day. Eight-five per cent of the daily rate would be paid back to the Nursing Home, so in this case, the higher rate is desirable as well as a higher number of available hospice volunteers. He added that there are between 75 and 100 patient days in the GIP category.

Comm. Rowe commented that he has questions relative to the function of the New Hampshire Association of Counties (NHAC) and added that he has reviewed the By-laws, the sub-committees and has read the recent letter and it appears that the system was designed for the Counties to work together, communicate, and network with each other as well as receive information from the National Association of Counties (NACo); however, it appears that the Executive Committee and other committees are so big that they appear to be unwieldy. He added that while the dues are set by the Commissioner’s Council, there is no standard by which the dues are set. He noted that it is his belief that there should be one voting member from each County in the committees and added that the votes are not proportional to the dues, and it does not seem to work because there are too many people on the committees.

Comm. Ziehm noted that while Hillsborough County is paying more, she does not see that it is benefitting proportionately. Discussion ensued relative to the affiliate sub-committees and the Board’s concerns. Comm. Pappas noted that in order to change the voting procedure, there would need to be a change to the By-laws, and added that a next step would be to propose an amendment to the By-laws that would address voting privileges.

Further discussion ensued relative to Hillsborough County’s membership in NHAC. It was noted that the committees will be re-organized after the upcoming election. Comm. Pappas agreed to draft a proposed amendment for the Board’s consideration. The Board agreed to consider developing a position to present after the election. It was noted that to establish a quorum, 6 Counties must be present at meetings, however, once the quorum is met, votes could come from as few as 1 or 2 Counties.

Mr. Wenger noted that the Nursing Home affiliates are working on a white paper. He added that the structure of the NHAC is driven, in part, by the tax exempt status of the organization. He noted that the affiliates’ sub-committees appear to work very well; the issue is that there is not active involvement and communication across all Counties with all of the Commissioners and the administrative structure. He noted that it is important to have Hillsborough County represented.

Comm. Pappas noted that another position would be to withhold a portion of the dues.

Comm. Ziehm asked the department heads how they would be affected if the County withdrew from NHAC.

Mr. Moorehead noted that there would be information that he would not have access to; however; he suggested he could develop his own network for information.

Supt. Dionne noted that his concern relates to RSA 100-A and the Retirement, Group II that outlines certification of Correctional Officers for NH Police Standards and Training; he added that his facility is certified to run its own training through the NHAC and NH Police Standards and Training Council.

Sheriff Hardy noted that while the Association has K. Horgan, a government relations specialist (lobbyist), the Sheriff’s Association affiliate retains B. Sargent from Sheehan, Phinney Capital Group; he noted that he is not sure of the impact, but it is normal to network with other Sheriffs in the affiliate and he is unsure if that would change. Mr. Moorehead noted that K. Horgan has been involved with the 1115 Waiver and SB553, which are 2 issues facing Counties.

Comm. Ziehm noted that she had a discussion with Rep. Rosenwald regarding Pro Share and the Nursing Home's concerns and it appears that Rep. Rosenwald's opinion is that Phase II will not go forward. Mr. Moorehead explained that with Phase II, the Managed Care Organizations (MCO's) cannot make money on Nursing Home care unless they cut the rates and/or not place patients in Nursing Homes.

OLD/NEW BUSINESS

Mrs. Castonguay informed the Board that the next Executive Committee meeting will be held on Thursday, October 27th at 9:00 a.m.

Mr. Wenger noted that the County has received a petition for certification; it is a challenge to the Teamster Unit at the Department of Corrections from the National Correctional Employee's Union; as a result, he anticipates that there will be an election in the not too distant future.

Mr. Wenger noted the County will be celebrating its 250th anniversary in either 3 or 5 years, depending on which date is used, The Counties were created in 1769 (247 years ago) and the Counties began operation in 1771 (245 years ago).

Mr. Wenger requested an opportunity to meet with the Board in Non-Public Session pursuant to a RSA 91-A:3 II (e) regarding litigation.

Mr. Moorehead explained that there will be discussion in the future regarding the use of medical marijuana; he noted that now that there are legal marijuana distribution centers, each Nursing Home will make the decision relative to whether marijuana will be permitted in its Nursing Home. Supt. Dionne noted that it will be "a can of worms" for not only the patients in Nursing Homes and inmates in jails, but staff as well. He noted that a person using marijuana, unlike alcohol or drugs, will test positive for several days, and he would not want to have an employee responding to an emergency situation that would test positive for the previous day's use of marijuana. He added that any employee is required to notify the DOC of any prescribed drugs that they are taking.

NON-PUBLIC SESSION

Motion:

To move into Non-Public Session consistent with RSA 91-A:3 II (e) relative to litigation.

Motion by Comm. Pappas, second by Comm. Rowe. Pappas-yes, Ziehm-yes, Rowe-yes. Motion carried.

The Board moved into Non-Public Session at 10:09 a.m.

The Board met with Sheriff Hardy, Chief Deputy Fisher, Attorney Kirby, and Mr. Wenger relative to pending litigation. No action was taken during Non-Public Session.

The Board moved out of Non-Public Session at 10:22 p.m.

Motion:

To come out of Non-Public Session.

Motion by Comm. Pappas, second by Comm. Rowe. Pappas-yes, Ziehm-yes, Rowe-yes. Motion carried.

Comm. Ziehm asked if there was any further business, and Comm. Pappas moved the following motion:

Motion:

Pursuant to RSA 29-A:2, the County will defend, protect, indemnify, and hold harmless Chief Deputy Gary Fisher from any costs, damages, awards, judgments, or settlements from the claim in the matter of Alexandra Drake v. Town of New Boston, et. al.

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

ADJOURN

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

Motion:

To adjourn the meeting.

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

The Board of Commissioners Meeting adjourned at 10:55 a.m.

Approved October 26, 2016

Comm. Toni Pappas, Clerk
Hillsborough County Board of Commissioners

Date