

Regular Meeting of the  
Hillsborough County Board of Commissioners  
October 14, 2009  
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. Pappas, Comm. C. Holden, Comm. M. Clemons, P. Coughlin, L. Movsesian, M. Wageling, R. Chadwick, A. Durette, C. Kirby, S. Lencki, J. O'Mara, E. Robinson, M. Rusch, S. Wilson, G. Wenger, and L. Stonner.

**1. Pledge to the Flag**

Comm. Pappas called the meeting to order at 10:00 a.m., followed by the Pledge to the Flag led by M. Wageling.

**2. Jack Donovan – NH Business Finance Authority**

Comm. Pappas welcomed Mr. Donovan from the New Hampshire Business Finance Authority. Mr. Donovan informed the Board that he was here to provide more information relative to the Economic Stimulus Bill passed last spring, explaining that there is a provision of the Bill for "Recovery Zones," and explained that these "Recovery Zones" are areas that are designated as having economic distress including poverty, high unemployment, and a high rate of foreclosures. He pointed out the eligible areas in Hillsborough County including the towns of Antrim, Hillsborough, the cities of Manchester and Nashua. He explained that the concept is to encourage investment in these areas; it provides bonding; it does not provide cash; it gives the State/Counties the right to help people raise money on a tax-exempt basis. Mr. Donovan went on to explain that this can provide help to businesses in those areas to borrow money on a tax-exempt basis; the money has to be used to buy depreciable assets such as to buy a building, renovate a building, or buy equipment. He went on to explain that the Business Finance Authority (BFA) already runs a State-wide program for manufacturers; they can qualify those people for tax-exempt funds now; the Stimulus Package bill broadens that and gives the authority to include any business in these recovery zone areas.

Mr. Donovan noted that normally these programs go directly to the State, and the State allocates them, but in this case, the bill was written so that the authority goes to the Counties; New Hampshire received a total of \$135,000,000; it was split up based on a very complicated formula between the Counties and the city of Manchester, which based on a population of over 100,000, qualifies on its own. He went on to explain that the funds must be used by December 31, 2010, or they go away; at issue is the fact that Counties in New Hampshire don't have the authority to issue debt for private businesses, so the State is working to gather all the funds at the State level by asking the Counties to waive their capacity under this program and to send it back to the Governor; the Governor will then give it to the BFA, which in turn will work with all the municipalities to find the best projects and make sure the funds get used by next year. Mr. Donovan informed the Board that six Counties have agreed to waive it back to the State, and he is meeting with all Counties by the following week and is hoping that they will all waive it back.

Comm. Holden noted that Peterborough would qualify with its Route 202 project; she further noted that she has contacted them relative to this program. Mr. Donovan noted that the BFA will reach out to everyone in the zones that qualify; issues that will be considered include:

- What is the job creation potential?
- What is the quality of jobs?
- What is the tax base potential for the community?
- What is the need?

Mr. Donovan explained that the program would realize a potential thirty percent savings if one considers the interest on a loan and the tax benefit.

Comm. Clemons noted that he does not believe that the County has the expertise to get involved with this program; therefore he would favor waiving the funds back to the State. Comm. Holden noted that she had contacted the Administrators in Peterborough, Antrim, and Hillsborough and inquired of Mr. Donovan if any of these towns had contacted him; to which he responded that they have not, but the BFA will do a direct outreach to everybody. He gave examples of towns he is working with and issues they face. Comm. Holden offered that it is her understanding that there are some compliance issues, namely compliance with the Davis, Bacon Act. Mr. Donovan confirmed that it is not a grant; this provides the ability to raise money, and to find entities to lend the money to. In response to a question from Comm. Holden, Mr. Donovan responded that if the County does not waive the money, it will just go away. Comm. Pappas asked for clarification relative to the money Manchester receives; Mr. Donovan explained that Manchester is a separate zone based on a complicated formula that included unemployment between December, 2007, and December, 2008; Hillsborough County received what is left of the County portion.

Comm. Clemons asked if there were a project in Cheshire County, for example, would it eliminate construction companies from Hillsborough County, to which Mr. Donovan responded that it would not.

Mr. Wenger asked if the Board waives the funds, would that address all the issues that were discussed at a recent NHAC meeting. Mr. Donovan responded that there are also Recovery Zone economic development bonds, which are different than what he addressed at this meeting. Those bonds are basically for public infrastructure in these same areas; it is an alternative issue tax-exempt debt; it is a way to issue taxable bonds with higher interest. Mr. Wenger offered that at this point, the Board may wish to consider a motion to waive the Recovery Zone facility bonds to the State of NH. There was discussion about the necessary documents.

**Motion:** Comm. Clemons moved that Hillsborough County waive the Recovery Zone facility bonds to the State of NH. Comm. Pappas seconded the motion. Commissioners Pappas and Clemons voted in the affirmative; Comm. Holden voted against the motion. Motion carried.

### 3. Administrative Business

#### Minutes

Motion: To approve the minutes of the regular meeting of the Hillsborough County Board of Commissioners dated September 16, 2009. By Comm. Clemons, second by Comm. Holden. Motion carried with Comm. Pappas abstaining because she did not attend that meeting.

#### Payroll Register

There was no Payroll Register for approval at this time.

#### Approval of Accounts Payable

**Motion:** To approve the Accounts Payable Register dated October 1, 2009, in the amount of \$156,429.13, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

### Sheriff's Department Extraditions

**Motion:** To approve the Sheriff's Department extraditions dated September 17, 2009 in the amount of \$3,501.81, noting that they have been approved by the County Attorney. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Clemons asked why the Board did not approve a Payroll Register, to which Mr. Wenger responded that it has not been prepared yet.

### Transfer FY 2010-03 – Delegation

**Motion:** To approve Budget Transfer FY 2010-03 for the County Convention, from the County Convention Travel In-State line to the Advertising line in the amount of \$600 to pay for block ads in two city newspapers for three days for advertising the position of County Attorney. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Clemons inquired how the County goes about replacing the County Attorney. Mr. Wenger responded that it is the Delegation's responsibility. Ms. Rusch informed the Board that there is a procedure to follow; she offered to provide the Commissioners with a packet outlining the procedure after the meeting. She noted that it will be advertised in both large city newspapers, and the New Hampshire Bar Association. She further noted that respondents are given ten days to submit their resumes; all resumes should be in by October 21<sup>st</sup>. Ms. Rusch explained that the Delegation and Executive Committee will meet on November 10<sup>th</sup>; she explained that the candidates will each be given five minutes for a presentation. Comm. Clemons asked if there would be an interview process prior to the meeting, to which Ms. Rusch responded that there is no formal interview; she explained that interviews were held when Attorney Wageling was chosen. She further explained that after much discussion at the Executive Committee level; there was a decision to remove the interview process because by the time the Delegation meets, they will have received resumes, letters of recommendation, and the candidates will have had the opportunity to lobby for the position. Comm. Clemons noted that his wife, who is a State Representative, has received lobbying calls from candidates, and she is interested in the process. Comm. Holden also expressed an interest in the process; M. Rusch offered to provide a packet outlining the procedure for both Commissioners at the end of the meeting.

### Transfer FY 2010-04 – Grant Expense to Other Fees & Svcs.

**Motion:** To approve Budget Transfer FY 2010-04 to transfer from Contingency Grant Expenses to Other Fees & Services the amount of \$11,000. Motion by Comm. Clemons, second by Comm. Holden.

Comm. Holden noted that this is for the Residential Substance Abuse Program, and it will be for the salary for the LADC counselor contracted by the Department, not a full time employee, but a contract employee.

Motion carried.

### Transfer FY 2010-05 – Building Renovations to Other Fees & Services

**Motion:** To approve Transfer FY 2010-05, which is to transfer from Building Renovations to Building Repairs, the amount of \$9,182, noting that justification is attached to the Transfer request. By Comm. Holden, second by Comm. Clemons. Motion carried.

Transfer FY 2010-06 – Complex 7960 to Complex 7820

**Motion:** To approve Transfer FY 2010-06 from Building Renovations to Equipment Repairs, the amount of \$3,500. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

#### **4. Public Comment on Agenda Items**

No one from the public indicated a desire to speak relative to the agenda.

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

Census

Supt. O'Mara presented the DOC Census, noting that as of October 13th, the Census was 606 which included 541 men of whom 383 are being held pre-trial, and 158 have been sentenced. There were 65 women of whom 49 are being held pre-trial and 16 have been sentenced. Supt O'Mara informed the Board that the census has increased by 40 persons since the last Board of Commissioner's meeting.

Bid # FY10-60 – Complex - Boiler Repair

Supt. O'Mara presented Bid # FY10-60 for Boiler Repair at the Complex; he explained that this bid is contingent upon the approval of Budget Transfer FY 2010-05, and that the lowest responsible bidder meeting the specifications is Northeast Mechanical, Hooksett, NH, at a price of \$9,182.

**Motion:** To approve Bid # FY10-60 for Boiler Repair at the Complex to Northeast Mechanical, Hooksett, NH, in the amount of \$9,182, noting that it is the lowest responsible bidder, this bid is subject to approval of the pending Budget Transfer, FY 2010-05, in an amount of \$9,182.

Comm. Clemons inquired about the procedure for handling emergency repairs, to which Supt O'Mara responded that in the event of an emergency, there is a NH Statute that allows the various Department Heads to take the necessary emergency action to facilitate the repairs followed by notification to the Board of Commissioners and the Executive Committee outlining the emergency, the action taken, and the amount of the expense. He further explained that either Mr. Hunt at the Complex or Mr. Panasiti at the Department of Corrections is familiar with the contractors, based on prior experience, and can often expedite the process.

Motion carried.

Supt O'Mara requested an opportunity to meet with the Board in Non-Public Session consistent with RSA 91-A:3 II (a), and noted that he has three items to address under Old/New Business.

#### **6. Nursing Home**

Census

Mr. Wenger presented the Nursing Home Census on behalf of the Nursing Home. He explained that as of October 8th, the Census was 280, which included 213 Medicaid residents, 39 private pay residents, and 28 Medicare Part A residents.

H1N1 Update

The H1N1 Update was not discussed.

## 7. Sheriff's Department

### Bid # SO 2010-2 – District Court, New Equipment

Chief Deputy Sheriff Durette presented Bid # SO 2010-2, explaining that this is a budgeted item; it is for cameras, alarms, and intercoms for the Bouchard Building, including the District Court. He explained that the bidders have all bid previously, and Pelmac Industries is the lowest bidder, and is the vendor that installed the present system in the building; the bid is for \$9,777.

**Motion:** To approve Bid # SO 2010-2 for the Sheriff's Office, and award it to Pelmac Industries, Corp., for \$9,777 for security equipment at 329 Mast Road. By Comm. Clemons, second by Comm. Holden.

Comm. Holden noted that the bid proposal refers to "District Court," and asked if the bid is only related to the District Court, and if it is in the budget, to which Mr. Durette responded that it is in the budget in the District Court line; however, it is for equipment throughout the Bouchard Building and parking lot, and is not exclusively related to the Court.

Mr. Wenger offered that Pelmac was initially in the building working on the Goffstown District Court project, so this action will allow them to continue on with security in the building.

Motion carried.

Comm. Pappas recognized the Register of Deeds and asked if she wished to address the Board; Register P. Coughlin responded that she was present to learn about security at Temple Street, and to receive an update on the status to the interior of the building where the Registry of Deeds is located.

Comm. Pappas recognized the County Attorney, M. Wageling who inquired if there was any further discussion needed relative to the lease at 30 Temple Street.

## 8. Old/New Business

### Security Update at Temple Street

Comm. Pappas recognized E. Robinson for an update relative to security at 19 Temple Street. Ms. Robinson reported that the security issue stands about where it was two weeks ago. There is general language in the rider to the contract with Stanley Security that she has asked them to remove; she has not received the rider back from them with the sentence in question removed. She explained that it is a sentence that both she and the County's Legal Counsel do not feel is necessary in the rider. She noted that she did e-mail Mr. Hodgston before she left for vacation, and has not yet received a response. Ms. Robinson noted that the agreement, once received, needs to be signed after Legal Counsel reviews it one more time; she asked the Board to consider who should be authorized to sign the contract. Comm. Holden noted that she would be happy to have the chair sign the contract once the language has been approved.

**Motion:** To authorize the Chair to execute the security contract for 30 Temple Street once the language has been approved by Legal Counsel. By Comm. Holden, second by Comm. Clemons.  
Motion carried.

In response to a request for clarification from Comm. Holden, Ms. Robinson remarked that the sentence in the contract that is in dispute is relative to new equipment; she explained that it does not need to be in the agreement because the equipment has already been purchased and the agreement allows that the vendor would maintain the existing equipment and replace anything that needs to be replaced.

Ms. Robinson informed the Board that she is still working on preparation of the bid documents relative to the Temple Street interior repairs. She reported that the cornice work on the roof is nearly complete; there is a discussion going on relative to color.

#### Design Charrette Follow-up

Comm. Pappas extended her thanks on behalf of the Board to Comm. Holden for “leading the charge” on the Charrette and noted that Comm. Holden did a wonderful job, and that there were accolades from everyone involved; she also thanked the staff that helped out. Comm. Holden informed the Board that she wrote nearly fifty thank you notes the previous day; she recognized the efforts of Mr. Wenger, Dan Reidy for facilitating, Holly McKinney from the Cooperative Extension, Department of Corrections staff, Mark Hunt and Arthur Aster on the maintenance staff and Linda Stonner. She explained that this was a County-wide effort and noted that the Charrette report should be available in approximately sixty days; it will be available on the County website and on the Cooperative Extension wiki. Comm. Holden noted that it is important to let people know how to access the information. She thanked everyone for being involved and thanked the Board and the Delegation for their support. Mr. Wenger added his thanks and offered that it would not have happened without the involvement and support of the Dan Reidy and the Cooperative Extension; he noted that Supt O’Mara and his staff did yeomen’s work, including preparing the barn for the Saturday session and banquet.

#### Silver Star 2010

Comm. Holden noted that this is the request for the County to adopt a resolution for a Silver Star proclamation. Mr. Wenger offered to prepare a proclamation for the Board to sign at its next meeting, to which the Board expressed its agreement.

Comm. Pappas recognized Supt O’Mara; he explained that he is presenting the Board with a request to rescind a bid that was awarded on August 5<sup>th</sup> for the Johnsonite Floor Tile, noting that when the vendor came in and began to remove some of the tiles, an MSDS form (Materials Safety Data Sheet) was completed to determine what materials will be used in placing the new tiles. During the examination, the DOC learned that the vendor who was awarded the bid was going to use a 2-part acrylic adhesive and the staff would be wearing masks and respirators. At that point, Capt. Cusson asked how that could be used with 600 inmates and 200 staff; he learned further that this product is typically used in construction only after all others on the construction project have left the building; the vendor did not have a satisfactory solution, therefore the project did not proceed; this adhesive cannot be used at the DOC. Supt O’Mara requested that Bid # FY10-35 approved on August 5<sup>th</sup>, be rescinded. He will come before the Board with a new bid for this project with a non-toxic adhesive.

**Motion:** To approve rescinding Bid # FY10-35, which was approved on August 5, 2009. By Comm. Clemons, second by Comm. Holden. Motion carried.

Supt O’Mara reported that the previous Friday, he attended what he thought was going to be Superintendent’s Affiliate meeting at the Primex Building, only to learn when he arrived that the group was made up of a panel of State Representatives who were conducting their examination of Health and Welfare programs at correctional facilities across the State relative to County and State, juveniles, men and women. He noted that this was consistent with House Bill 214. Supt. O’Mara reported that he had brought materials to share with his colleagues, thinking it would be informal; however, he quickly changed gears and did a half hour presentation in front of the committee. He noted that he will follow-up with a more extensive packet. He explained that the committee was very appreciative and was impressed by the level of health care and mental health care service that is provided at the DOC. He noted that the committee was somewhat shocked

at the amount of money that is spent in providing these services. He summarized that it went quite well and was an opportunity for the County to “shine” and to educate.

Supt O’Mara informed the Board that as a result of the recent tragedy, he has been besieged by the media. He noted that he expected to be interviewed by the Union Leader and Nashua Telegraph, but he was surprised by the calls from NECN, CNN-the Nancy Grace show, Dateline, 20-20, ABC, NBC, as well as the Boston Globe and the Boston Herald. He explained that it is his belief that it is important to be as responsive as he can, as quickly as he can so there is not a perception that something is being hidden or being withheld. He noted that he spent a good deal of time dealing with the media contacts.

Supt. O’Mara informed the Board that the DOC is working very closely with law enforcement and the prosecution in this matter; he mentioned that there were four persons arrested and the judge ordered that they be separated and be unable to communicate with one another. He noted that is the customary policy with co-defendants, and further noted that it is rare to receive four inmates at one time; he explained that three are being held at the County’s facility and the fourth is being held by Merrimack County, which is appreciated in this high-profile situation.

Comm. Clemons reported on the meeting that he attended the previous Friday with Mr. Wenger relative to the Community Connections grant that the County received, and noted that they met with the Nashua Community Council and the Manchester Community Council. Discussion at the meeting included how the grant will be implemented and what the County’s fiduciary responsibility will be as well as the responsibilities of Manchester Mental Health. There was discussion relative to future meetings, and Mr. Wenger will be in touch with Susan Stearns. Mr. Wenger reported that the meeting participants looked at the project in three parts: financial oversight, administrative oversight, and the actual operation of the project. He noted that he will be working with the individuals from greater Nashua and Manchester to make certain that all are “on the same page” with respect to the administrative oversight; also there is a contact with the Grantor that he will work with so that all reporting requirements are met. He summarized by saying that everyone involved was surprised at receiving the grant. Comm. Clemons noted that the cooperative attitude that was present at the meeting was tremendous; everyone wants this to succeed and is willing to give their time and energy to make sure that it does. Mr. Wenger offered that he would like to speak with Supt. O’Mara’ to see who, at the DOC, would be the most appropriate person to help meet the challenging reporting requirements. Mr. Wenger explained that it is hoped that the impact to the County will be a reduction in those incarcerated at the DOC. He noted that this is not something that the Mental Health stakeholders have tracked in the past, so the issue for consideration is to determine what information is going to be beneficial to the County, and what information will be beneficial to Mental Health Organizations, and what information is required for filing. Supt O’Mara suggested that it would be beneficial to track those who leave jail and monitor if they return; that is an important consideration for the DOC.

Comm. Holden shared that she attended the “Healing Gardens” in-service training at the Nursing Home; an Occupational Therapy Assistant presented a slide presentation based on a conference that she attended at the American Horticultural Therapy Program and explained that it went through the curing, the healing, and the caring cycles and how the gardens help the individuals; addressed were the following issues:

- nature inhibits anxiety,
- isolation causes depression,
- fresh air and sunlight can change many of the outcomes.

She explained that the guidelines for the gardens are:

- social support,
- control,
- keeping the residents away from danger, and
- having activity that can combine with exercise and rehab.

It is healing with positive outcomes and therapeutic approaches, and it is a known fact that nature distracts. She noted that the program at the Nursing Home is “Elders on the Grow.” Comm. Holden noted her surprise

that the room was full; there were 40 to 45 people attending and it was very well done. She noted that she was invited because they would like to have a greenhouse, and are hoping for Commissioner and community support.

Comm. Holden noted that the previous Friday she attended the Rails to Trails meeting; they are continuing to work on media approaches. There was discussion relative to the Charrette because four of those present attended the Charrette; it was noted that many of the participants spoke highly and positively about the Rail Trail, and the need for trail access. Comm. Holden informed the Board that the trail crossing at Henry Bridge Road may pose some dangers due to high speed traffic and possible issues with the Women's Prison; a possible consideration would be to locate the crossing further down the road. The committee consensus was that it would work with the County to consider alternatives.

Mr. Wenger informed the Board that he has the renewal for the County's Health Insurance Program for its 65 and older retirees, which is the First Seniority Freedom Premier Plan; The County has moved its employees to this program over the past two years. He indicated that the renewal date is January, as opposed to the County employee plan renewal date of July. Mr. Wenger explained that he was not happy to inform the Board that the rate has increased 19.9% this year, but this does not surprise him. He further explained that 4% of that is actually a decrease in the Federal Subsidy for this subsidized program, yet this still remains the best option and the plan has been successful. He noted that there are some options that the County could choose that would reduce the cost, but they all impact the various prescription plans. Mr. Wenger recommended that the County continue the program and asked the Board to consider authorizing the Chair to authorize this action.

**Motion:** To authorize the Chair to execute continuation of the 2010 First Seniority Freedom Premier I program for over 65 retirees. By Comm. Clemons, second by Comm. Holden. Motion carried.

Mr. Wenger thanked County Attorney M. Wageling for her efforts in being able to keep the County at the table with respect to the discussions for 300 Chestnut Street, for helping the County throughout the long process, and most importantly, for bringing to a conclusion the meeting held with the Architects the previous week regarding colors. He explained that the renovation planning is fairly well wrapped up; there was a meeting the previous day with the Sheriff's Department to go over security provisions, which are actually State issues.

Mr. Wenger noted that the focus is now shifting to the relocation for the next year; consistent with the discussion at the last meeting, he has prepared a lease consistent with other existing County leases, which have been forwarded to Legal Counsel for review. Mr. Wenger further explained that he has given Susan Johnson a "heads up" relative to the County's plans. She is the representative for the owner of 30 Temple Street. He informed the Board that the plan for the new space for the County Attorney's office includes space for staff but does not include storage space, which would be an additional \$7 per square foot. He noted that it will be important to utilize the space at Temple Street for storage for the County Attorney and staff; he is hoping that they can see the space, and work to see if the staff can fit in there, and then decide what needs will be addressed by utilizing space at Temple Street. Storage issues and records destruction for the County Attorney's office will also have to be addressed.

Mr. Wenger noted that he spoke with the Superintendent and will be bringing plans to the Board relative to renovating the Business Office so that there is space in the present Human Resources area for the Sheriff's Transportation staff. Mr. Wenger reported that Chief Deputy Sheriff Durette is actively working to resolve the issues in moving the communications equipment from Chestnut Street and will be coming forward with a proposal at a later date. There will be requests for bids sent out relative to the move. In response to a question from M. Wageling, Mr. Wenger indicated that they are working to have access to a new space, hopefully 30 days prior to the date of the lease, but it would be possible to look at the space sooner.

Wiring will be addressed prior to move-in at the new space and for any space utilized at 30 Temple Street; the move date is still scheduled for the week between Christmas and New Year's. Attorney Wageling informed the Board that the new space is not big enough for all her staff, much less any storage space. She anticipates that approximately five staff members will not fit in, and as a starting point her staff is already squeezed into the space; she noted that this is a difficult pill to swallow. Mr. Wenger noted that it is the hope that the proximity to 19 Temple Street would ameliorate the space issue, and would hopefully be a persuasive argument for approving the lease.

Comm. Pappas noted that Attorney Wageling will be sworn in as a judge the following day; she thanked her, on behalf of the Board and the County for her service to the County, noting that she did a wonderful job and will be missed. Attorney Wageling noted that she never thought that she would end up in this position, and noted that it has been a delight from the very beginning to the very end, not only a wonderful exercise in democracy on January 13, 2004, but she was welcomed by everyone, and her job was made so much easier by their cooperation. She shared that it is a bittersweet change for her, but she is very much looking forward to her new position.

Attorney Wageling explained that the Delegation had requested that the Attorney General's Office provide oversight to the office until a new County Attorney has been named. The Attorney General has named Jane Ellen Young as his agent for purposes of that oversight; she provided contact information. She noted that it was agreed that Roger Chadwick and Maureen O'Neill are perfectly capable and are in fact the two best individuals to run the office, so they will continue in their efforts in terms of the day to day operation of the office; she noted that there are two statutory obligations that fall within the County Attorney's realm that the Attorney General technically has to take over, such as immunity requests.

Comm. Pappas recognized Register Coughlin who asked if the interior repairs at 19 Temple Street will be completed before the Court moves to Nashua. E. Robinson responded that she is assuming that all the repairs will be done prior to the move, but noted that it may be smart to combine efforts. Ms. Coughlin explained that Registry staff have moved many items and has closed up conference rooms, but she is simply trying to plan ahead and determine what rooms will be needed. Ms. Robinson noted that has not been decided yet.

Comm. Holden inquired about the Sheriff's Department staff moving from Chestnut Street to the Bouchard Building and wondered if plans still included moving them into the Human Services space. Mr. Wenger noted that currently he is looking at the Business Office; he explained that the hurdles for them to access the Human Services Department would be too great, noting that he had originally spoken about adding a door to the rear of that space to close it off for the Sheriff's Department staff. However, he has since observed that the entrance to the building is below grade, so there would need to be a stairway built into the office space, which would need to be enclosed; it is too much of a hurdle to overcome presently because it would involve some significant major structural construction, and is probably beyond what should be considered as a solution because it would be a permanent change that would result in losing square footage. He explained that what he is looking at currently could easily be reverted back to its original condition in the future.

Comm. Holden asked to address an issue. She stated, *"I am concerned about what's going on with the economy, and what has happened at the State level. We really do not know what the economy is going to do. Taxpayers are losing jobs and their homes, and in two years we will not be in as good shape as we are now. Once the County taxes become higher than the City or Town taxes, there will be a decrease in the County tax revenue. The State has announced layoffs starting tomorrow. The NH jobless rate has increased; it is now 7.2%. We must plan for the future; we depend on the property tax. We must act responsibly now. The Board of Commissioners recommends and the Delegation appropriates the money; just because the money is appropriated does not mean we have to spend it in the Departments under our control. What is going on with Hillsborough County? The BOC has added a new program – ADDE."*

**Motion:** Comm. Holden continued, saying, “*Madame Chairman, I move to freeze the positions as well as the funding for the ADDE Program.*” Comm. Pappas asked for a second. The motion failed to carry for lack of a second.

Comm. Holden went on to note, “*We did have a discussion...we had a bid from the DOC, and rather than having a fulltime LADC, they have chosen for the Mental Health program to have a contract worker. I don’t know why Hillsborough County needs a full time LADC; even the re-entry program that is under a County Attorney grant program does not have A LADC, and this program is taking up space; it is not a necessary County service, and this will be an issue during our campaign. Thank you.*”

Comm. Pappas informed those present that she had received a letter from former Commissioner Rhona Charbonneau. Comm. Pappas read the letter, which expressed Ms. Charbonneau’s profound gratitude for the beautiful cards, good wishes, blessings and prayers, gifts or flowers and thoughtful mementos that she has received since her accident in May.

Comm. Clemons raised the issue of day of the next BOC meeting, scheduled for Thursday, October 29; there was discussion of whether to keep the meeting on that date or change it to Wednesday. Mr. Wenger noted that there is a potential meeting with the AFSCME group at the Nursing Home that afternoon, but he has not received confirmation. Further discussion resulted in an agreement that the Board will leave the meeting, as scheduled, for Thursday, October 29<sup>th</sup> at 10:00 a.m.

C. Kirby requested to meet with the Board relative to pending litigation.

#### **10. Non-Public Session**

**Motion:** To go into Non-Public Session under RSA 91-A:3 II (a) relative to personnel matters with Supt O’Mara from the Department of Corrections. Motion by Comm. Holden, second by Comm. Clemons. Pappas-yes, Clemons-yes, Holden-yes. Motion carried.

The Board moved into Non-Public Session at 11:24 a.m.

The Board moved out of Non-Public Session at 11:40 a.m.

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

**Motion:** The Board recessed to consult with Counsel.

The Board moved into Recess at 11:41 a.m.

The Board moved out of Recess at 12:05 p.m.

**Motion:** To move out of recess. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Pappas noted that the Board has chosen to postpone the performance evaluations until its next meeting.

**Motion:** To seal the minutes of the Non-Public Session of October 9, 2009. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

## 11. Adjourn

There was no further business for consideration; Comm. Holden entertained a motion to adjourn.

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

The meeting adjourned at 12:07 p.m.

*Signed on November 10, 2009*

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Comm. Michael Clemons, Clerk  
Hillsborough County Board of Commissioners

\_\_\_\_\_  
Date