

Regular Meeting of the
Hillsborough County Board of Commissioners
October 15, 2014
Bouchard Building, Goffstown, NH
Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Pappas, Comm. Holden, Comm. Ziehm, J. Hardy, C. Beaulac, D. Dionne, A. Durette, G. Fisher, C. Kirby, B. Moorehead, B. Newcomb, M. O'Neil, E. Robinson, G. Wenger, M. Castonguay, and L. Stonner.

1. Call to Order

Comm. Pappas called the meeting to order at 9:02 a.m. Mr. Wenger led the Pledge of Allegiance.

2. Administrative Business

Minutes:

Motion: To approve the minutes of the Board of Commissioner's meeting held on October 1, 2014. Motion by Comm. Ziehm, second by Comm. Holden.

Payroll Registers

Motion: To approve a Miscellaneous Payroll dated October 6, 2014 in the amount of \$399.00. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Motion: To approve a Regular Payroll dated October 9, 2014, Motion by Comm. Holden, second by Comm. Ziehm.

There was a Scriveners error relative to the amount listed for the Miscellaneous Payroll. It will be verified and addressed later in the meeting.

Accounts Payable Register

Motion: To approve an Accounts Payable register dated October 9, 2014, in the amount of \$207.19 and an Accounts Payable register dated October 14, 2014 in the amount of \$3,899,672.65, for a total of \$3,899,879.84, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

The Board agreed to table the approval of the Regular Payroll and address it later in the meeting.

Motion: To table motion to approve the Regular Payroll and address it later in the meeting. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

3. Public Comment on Agenda Items

There were no members of the public present who wished to comment on Agenda items.

4. Sheriff's Department

Sheriff Hardy presented the Board with information related to the Dispatch Fees for the Towns that utilize Hillsborough County's Communications Center for police and fire dispatch and noted that this is the last year of a five-year schedule, further noting that consideration will be given to establishing a new fee structure beginning with FY2015. He added that the fees are currently based on call volume; they only cover the additional-costs that are incurred beyond the operations and responsibilities of the Sheriff's Department. He added that consideration will be given to changes in call volume from Town-to-Town as well as the addition and absence of some Towns as well as the costs to the County. Sheriff Hardy recommended that the fees be level funded this year. He added that a new phone system will better allow the Department to track incoming calls more efficiently and it is anticipated that the costs to the Towns will go down.

Motion: To level fund the billing for the Sheriff's Department's dispatch fees to the Towns until June 30, 2015. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Hillsborough County Street Crime Task Force

Sheriff Hardy and Sgt. Newcomb presented information relative to starting a new program that will address street and drug-related crimes; he noted that there was an organizational meeting with 16 of the County's Police Chiefs and representatives from other law enforcement agencies that operate within the County; there is an agreement that this program could be implemented and funded by utilizing some of the Drug Asset Forfeiture money that is in his department's budget currently without hiring additional part-time staff; his department would fill open positions. Sheriff Hardy presented a Power Point presentation relative to the program and discussed details. He added that the focus is on illegal narcotics activity and the related property crimes.

Sheriff Hardy informed the Board that his department has been working with Legal Counsel to develop an MOU and to address required indemnification and liability issues. There will be an Advisory Board comprised of 1 member of each participating agency and it will operate under the Hillsborough County Sheriff's Department Task Force Operations. Officers from State-wide agencies will be deputized to provide state-wide law enforcement powers and extend the County's jurisdictional reach. He added that equipment and personnel will be provided by each agency; the Sheriff's Department will provide dedicated office space within the Hillsborough County Sheriff's Office. He noted that the department will not be asking for supplies or equipment from the operating budget; funding will come from Drug Asset Forfeiture Funds. Sheriff Hardy explained that Hillsborough County Sheriff's Department will maintain oversight for scheduling operations and for compliance and communicating very closely with other drug task force agencies.

Discussion ensued relative to other agencies and stakeholders that are working to address drug issues.

Sgt. Newcomb explained that last September, the Goffstown, Bedford and Manchester Police Departments experienced an ongoing burglary problem that affected those communities; working together with the Sheriff's Department, they were able to set up surveillance and develop suspects that lead to the arrest of more than 10 people and solved numerous problems. He added that the goal is to work together to help communities target drug issues and property crimes that happen as a result of drugs.

Comm. Holden asked if the County Attorney's office would be a part of the Drug Task Force. Sheriff Hardy responded that the County Attorney's office will be consulted when seeking prosecutorial assistance, but at this point they are working with the Chiefs of Police.

Attorney O'Neil from the County Attorney's office noted that the County Attorney was not invited to the original meeting and added that her office would welcome a copy of today's Power Point presentation. Attorney O'Neil added that the County Attorney shares concern relative to the prosecution of these cases and information about what

other agencies may have been investigating the same crime, as well as information as to who will be authorizing body wires and taping conversation.

Sheriff Hardy responded that when they reach the point where they need prosecutorial advice and assistance, the County Attorney's office will be involved, and added that the meetings held to date have discussed only the feasibility and investigative side of the Task Force.

Mr. Wenger added that liability is also an issue to be considered.

The Board addressed the Regular Payroll that was tabled earlier in the meeting.

Motion: To remove approval of the Regular Payroll from the table. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To approve a Regular Payroll dated October 9, 2014, in the amount of \$1,138,425.52, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

5. Department of Corrections

Comm. Pappas congratulated Supt. Dionne regarding the positive newspaper article about Video Arraignment at the Department of Corrections. Supt. Dionne informed the Board that 842 video arraignments have been done with the Hillsborough County Superior Court in Nashua since the end of March, and 28 have been done in Manchester at the Hillsborough County Superior Court North since October 7th. He added that he anticipates that there will be approximately 3,200 video arraignments annually for the 2 Courts; that number does not include the smaller Courts or Courts in other Counties. He noted that the benefits of holding video arraignments in-house include:

- Greater safety and security for the public and the inmates
- Eliminates the opportunity for inmates to obtain contraband that they bring into the DOC
- Reduces the yelling and screaming that can occur in Court
- Reduces the need to transport inmates
- Does not require additional DOC staff; the Court personnel are provided by the Sheriff's Department

Census

Supt. Dionne presented the Department of Correction's Census. He noted as of October 7, 2014, the total in custody was 485; he explained that there were 375 men, including 140 that had been sentenced and 235 that were being held pre-trial; there were 110 women; 57 of the women had been sentenced and 53 that were being held pre-trial. He informed the Board that there were 135 individuals who were diverted through the Mental Health Courts; 64 were from Manchester and 71 from Nashua. He added that the DOC was holding 43 female inmates from Rockingham County and there were 20 inmates in the community.

Overtime Impact Report

Supt. Dionne noted that he had provided an Overtime Impact Report for the Board for the permanent record.

5. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census. He indicated that the Census as of October 9, 2014 was 281; it included 206 Medicaid residents, 36 Private Pay residents and 39 Medicare residents

September Revenue

Mr. Moorehead presented the unaudited September Revenue. He explained that the budgeted Revenue for Room & Board and ancillaries for August was \$1,930,454 while the actual was \$1,904,536, which resulted in a negative variance of \$25,918. He added that there was a \$38,000 adjustment related to Private Pay residents who had depleted their assets and Medicaid that was billed retroactively for those residents.

Year-to-Date Revenue

Mr. Moorehead presented the unaudited Year-to-Date Revenue for July, August and September; he informed the Board that the budgeted Revenue for Year-to-Date is \$5,791,362 while the actual is \$5,873,143, which resulted in a positive Revenue variance of \$81,781. He noted that the report does not include Revenue from ProShare or Bed Tax, which will be coming later.

Skilled/CRU Discussion

Mr. Moorehead noted that he thought that he mentioned that Glencliff is another facility that will take behavioral patients; it is located in Grafton County.

6. Old/New Business

Drug Rehab Center Visit

Comm. Ziehm explained that the visit to the Nashua Drug Rehabilitation Center mentioned at the last meeting is scheduled for Monday, October 20th at 12:30.

Comm. Pappas noted that the Registry of Deeds' Revenue Report is included in the Board's packet.

NHAC Conference Planning

Ms. Robinson joined the meeting.

Mr. Wenger reported that the Committee met earlier in the week to finalize plans for the NHAC Conference. He reviewed the Agenda with the Board. Discussion ensued relative to rooms and other conference details.

There was a discussion about the NACo dues; Hillsborough County's dues are \$800. Comm. Pappas indicated that it is important for NH to be 100% members of NACo. Comm. Holden will contact NACo to see if all NH Counties have paid their dues.

Mr. Wenger presented 2 letters for the Board's approval and signatures; one will be included in the program, the other would go to Commissioners in other NH Counties. Mr. Wenger reviewed the Agenda and the Board discussed who will present the awards.

NHAC Strategic Planning

Mr. Wenger noted that there will be a Commissioner's Council meeting on Tuesday at the Conference; there will be a facilitated discussion related to the direction of NHAC should take going forward and relative to a new Executive Director or other position.

Mr. Wenger added that there could be much discussion from Counties related to:

- What are we getting
- Where are we now and where do we go from here
- How are we assisting each other
- What is the purpose of NHAC
- Conflicts between lobbying needs
- Education and marketing needs

Discussion ensued relative to the benefits of belonging to the NHAC. Supt. Dionne explained that there needs to be statute changes relative Corrections Officer certification as it relates to Group II Retirement. Mr. Wenger noted that there are a number of statutes that are tied into the NHAC. It was agreed that the lobbying effort is important.

Ms. Robinson noted that it has been a benefit in terms of helping the Representatives and the Senate understand the bills before them and it has helped control the CAP. She added that B. Miller's work on behalf of the Counties has saved millions, further noting that the reason the Counties have ProShare and MQIP funds is because of NACo. The Board discussed the need for more education and other items of concern that it could bring to the table at the Commissioner's Council meeting.

Mr. Wenger informed the Board that he received written notice that Nursing Home Grievance # PM726 has been withdrawn.

Mr. Wenger referred the Board to a request from the Goffstown Food Pantry for storage space in a County building for food and equipment. The Board indicated that it would be willing to consider the request; Mr. Wenger will get more information and return to the Board with the request.

7. Public Comment

There was no one present from the public who wished to comment.

8. Non-Public Session

Attorney Kirby requested an opportunity to meet with the Board of Commissioners and Supt. Dionne to consult with Counsel. Comm. Pappas requested a Non-Public Session.

Motion: To Recess the meeting and to meet with the Attorney Kirby and Supt. Dionne in a non-meeting format consistent with RSA 91-A:2 I (b) to consult with Counsel, and then to meet as a Board in Non-Public session consistent with RSA 91-A:3 II (a) relative to personnel. Motion by Comm. Holden, second by Comm. Ziehm. Pappas-yes, Holden-yes, Ziehm-Yes. Motion carried.

The meeting Recessed at 11:03 a.m.

The Board met with Attorney Kirby and Supt. Dionne to consult with Counsel.

The Board moved out of Recess at 11:12 a.m.

Motion: To move out of Recess. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried

The Board moved into Non-Public Session at 11:15 a.m.

The Board met as a group.

The Board moved out of Non-Public Session at 11:27 a.m.

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

Comm. Pappas entertained a motion:

Motion: To waive service in Federal Court Cases consistent with the Federal Rules to allow Legal Counsel to accept service on behalf of Hillsborough County. Motion by Comm. Holden, second by Comm. Ziehm.
Motion carried.

9. Adjourn

Lacking further business, Comm. Pappas entertained a motion to adjourn.

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

The meeting adjourned at 11:29 a.m.

Approved 10/29/2014

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date