

Regular Meeting of the
Hillsborough County Board of Commissioners
October 29, 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, S. Chidavaenzi, M. Lencki, J. O'Mara, M. O'Neil, D. Reidy, M. Rusch, S. Wilson, G. Wenger, and L. Stonner.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 10:05 a.m., followed by the Pledge to the Flag led by J. O'Mara.

2. Administrative Business

Minutes

Motion: To approve the minutes of the regular meeting of the Hillsborough County Board of Commissioners dated September 30, 2009. By Comm. Clemons, second by Comm. Holden.

Comm. Pappas noted that she is not listed as present at the aforementioned meeting, referring to the first paragraph. She requested that the minutes be changed to reflect that she was present.

Motion carried to approve the minutes with the requested change.

Motion: To approve the minutes of the special meeting of the Hillsborough County Board of Commissioners dated October 9, 2009. By Comm. Clemons, second by Comm. Holden.

Comm. Holden noted that at the previous meeting, the Board voted to seal the Non-Public portion of the minutes of the October 9, 2009 special meeting.

Motion carried.

Motion: To change the minutes of 9/16/09 to correct an error on page 4 of 11, the sentence that reads: "*Register, P. Coughlin reported that the Registry revenue is up 33% over last year,*" should be changed to read: "*Register, P. Coughlin reported that the Registry revenue is up 3% over last year.*" Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Payroll Register

Motion: To approve the Payroll Journal dated October 15, 2009, in the amount of \$1,139,924.57. By Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Accounts Payable

Motion: To approve the Accounts Payable Register dated:

- October 1, 2009, in the amount of \$30,037.51
- October 7, 2009, in the amount of \$3,134,173.81
- October 15, 2009 in the amount of \$3,273,330.74
- October 28, 2009, in the amount of \$498,269.78, noting that each is 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. Clemons, second by Comm. Holden. Motion carried.

Telephone Polls

Motion: To approve the Telephone Poll conducted on Tuesday, October 6, 2009 at the request of the County Attorney seeking approval to sell surplus law books from the Law Library. The motion was to approve the sale of surplus law books at a price of \$1,200. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the Telephone Poll conducted on Tuesday, October 16, 2009, seeking approval of an outstanding Accounts Payable Register dated October 15, 2009, in the amount of \$3,278,330.74 subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

3. Public Comment on Agenda Items

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

4. Department of Corrections

Census

Supt. O'Mara presented the DOC Census, noting that as of October 27th, the Census was 615, which included 541 men of whom 371 are being held pre-trial, and 170 have been sentenced. There were 74 women of whom 55 are being held pre-trial and 19 have been sentenced.

Supt O'Mara informed the Board that he has three items to discuss under Old/New Business and one request for a Non-Public Session under RSA 91-A:3 II (a) relative to a personnel issue.

5. Nursing Home

Census

Mr. Lencki presented the Nursing Home Census. He explained that as of October 22nd, the Census was 282, which included 210 Medicaid residents, 40 private pay residents, and 32 Medicare Part A residents.

Mr. Lencki asked to postpone the September Revenue report, noting that Mr. Moorehead will present it at the next Board meeting.

H1N1 Update

Mr. Lencki reported that the Nursing Home has applied for 200 doses of the H1N1 vials. He explained that the Nursing Home has not received any doses to date, and will keep applying each week. These will be given to staff that provide “hands-on” care. In response to a question from Comm. Clemons, Mr. Lencki noted that regular flu shots have been made available for patients. He further explained that relative to the H1N1 virus, the focus is on health care workers; older people are less susceptible to the virus than younger people; there have been no known cases of H1N1 in persons in New Hampshire who are over 65. There was discussion relative to why older persons are less susceptible to the virus. Comm. Clemons remarked that he understands that older people has a natural immunity to the swine flu. Mr. Lencki reported that the Nursing Home has updated its Pandemic policy to include H1N1 and flu, and all Departments are being retrained.

Bid # 05-2010 – Healthcare Information System Consulting Services

Motion: To approve Bid # 05-2010 for the Nursing Home for Healthcare Information System Consulting Services to CBIG, LLC, Concord, NH, for a total of \$57,500, noting that it is the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden for discussion purposes.

Comm. Clemons inquired why there was such a large discrepancy between the two bids, to which Mr. Lencki responded there were only two vendors who responded, and that CBIG, the lowest bidder is a company they had conversation with back in April. He explained that CBIG has a template in place; they have already spent the time and labor to develop the process while Berry, Dunn, McNeil & Parker would be starting from the beginning, which means greater effort and expense would be needed to reach the same point; Berry, Dunn, McNeil & Parker is new to this; it is more of an auditing service that does a great deal of tax auditing for many long-term care facilities.

There was discussion relative to the fact that there are templates that are out there. Comm. Holden noted that Templates for electronic medical records project were presented at the recent NHAC Conference. Mr. Lencki noted that the function of the consultant is to put the Nursing Home on the right track and provide the Nursing Home with software that is going to be effective and efficient. He explained that the expectation is that the consultant will guide the Nursing Home from step one through the final stage and make certain that the Nursing Home is purchasing the right software. He explained that in the last ten years the Nursing Home has gone through two different financial software programs that have not worked as they needed them to. He noted that the goal is to bring in the consultant to advise them relative to what they might have done wrong or might have missed as well as to meet the 2011 deadline. He stressed that it is important to get going right away.

There was discussion relative to the steps the Nursing Home has taken in securing this bid and gaining information relative to the direction it will take. Mr. Lencki again noted that the Nursing Home has used two different systems in ten years; the plan is to work with the consultant to “get it right.”

There was concern expressed by members of the Board relative to the disparity between the two bids, the steps the Nursing Home has taken, and whether a team would be involved in the process. Ms. Chidavaenzi noted that she has been visiting other facilities, and this gives her a sense of what is out there, and what is working in other places. She explained that the consultant will be there to guide the Nursing Home through the process of selecting the best software, reviewing the structure, and selecting the best software for the Nursing Home; the consultant will talk to all the Departments to see where they have missed the mark on the last two software packages that have been used. Ms. Chidavaenzi expressed her concern relative to the tight timeline and the requirement that the Nursing Home be “paperless” by 2011.

Comm. Holden asked if there was a team working on this project, noting that in the past, when there were IT considerations, there has been a multidisciplinary committee that reviews the plan, the goals, and the objectives. Comm. Holden inquired about training, noting that many of the staff may not be prepared. Ms.

Chidavaenzi reported that they have surveyed staff and will arrange for appropriate training. Mr. Lencki expressed his comfort with CBIG, and explained that the Nursing Home is hoping to have this vendor advise them along the way, and is looking for a long term relationship...not one that will end in 2011.

In response to a question from Comm. Holden, Mr. Lencki explained that in the bid, there is a section that requires the consultant to meet with the Board of Commissioners to review the plan as well as including Mr. Moorehead, and the CIS Department. Comm. Holden stressed that it was important to see the scope of the plan and suggested that a steering committee of the highest level stakeholders be formed, and that it should include one Commissioner, one member of the Delegation, the CIS Department, and the County Administrator. She noted that this is the time to review the goals and objectives; there could be a project manager, project team, and a project charter; it is important to get the mission statement, the goals and the objectives. Mr. Lencki agreed with Comm. Holden's suggestion.

Comm. Pappas remarked that it was her belief that the County Administrator should be involved in the process, and asked for his opinion of the bid on the table. Mr. Wenger remarked that it was difficult for him to respond as he was not familiar with the depth of the planning that that has been undertaken to bring us to this point. He suggested that he had reviewed the two bids and has a number of questions relative to the low bid and the process. He expressed his belief that any consultant that may be brought in should be independent. Mr. Wenger, in response to Comm. Holden's favorable comment relative to the NHAC presentation noted that the presentation was valuable for him and that it reiterated the daunting task that the County is undertaking and the need to have a strong planning process from the beginning. He explained that the Board does not have before it the entire bid package and noted that in the section relative to goals, the bidder has already defined what the goals are; he noted that he is not aware of where those project goals came from or how they had been developed. He suggested that as he has not been involved in the prior meetings and where he has outstanding questions he would not be in a position to make or support a recommendation to proceed with this bid at this time.

Ms. Chidavaenzi informed the Board that Mr. Roach attended a two-hour meeting when the goals were discussed. Comm. Pappas noted that she is not comfortable proceeding, and asked Mr. Wenger if he had any other recommendation. He suggested that a meeting with the low bidder to try to bring everyone onto the same page and to a common understanding of the bid and the project could be beneficial. He noted that the bid has been presented as the Nursing Home's project, and suggested that he will differ to them but expressed his concern that this is a technology based project and that being such as we move forward it will ultimately become a responsibility of the CIS Department. He explained that he has shared with the Board previously that it is his belief that in the past, the software selection process was an issue. He offered that this project presents a great opportunity for the County to end up with state of the art system but expressed concern that in order to reach that point planning and active involvement must start from the beginning. He summarized by saying that he does not have an understanding from the CBIG what will be delivered suggesting that the Nursing Home may have that understanding because of the opportunities they have had to speak with the bidder, but he has not had that opportunity.

Comm. Holden explained that she would like time to look at the RFP and the approach taken, stressing that it is critical that the vendor be independent in its consulting role.

Ms. Chidavaenzi noted that time is of the essence and explained that this project must be completed by 2011, but there are *Meaningful Use* requirements that must be met before that time to show that the Nursing Home is able to meet the standard. Ms. Chidavaenzi explained that she understands that the Board is looking to have more information and have a better understanding of the project, but she respectfully asked the Board to do it sooner rather than later. Comm. Pappas observed that this project requires more study on the part of the Board; she indicated that in view of the time constraints, the Board will make this a priority. Ms. Chidavaenzi again explained that Berry, Dunn is a CPA firm that has one long term care project, and that is in a 29-bed Nursing Home; CBIG have done 500 long-term care projects; they understand the Nursing Home

language. A discussion ensued regarding the project timelines provided by the two bidders and the human resources that will be available for the project. Following the discussion Comm. Pappas noted that a motion was bending before the Board. The Board discussed and agreed that it wished to table consideration of the motion at this time in order to allow it to obtain additional information.

Motion: To table Bid # 05-2010. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Lencki offered that the Nursing Home needs to move forward with the project; Comm. Pappas noted that the Board understands that this is a priority.

Comm. Holden asked Mr. Wenger for a copy of the bids. He agreed to make the bids available for the Board.

6. Registry of Deeds

Bid # 2009-01 – Preservation of Deed and Deed Index Records

P. Coughlin presented Bid # 2009-01 and explained that this is for the restoration and preservation of books at the Registry that was approved during the budget process. Ms. Coughlin noted that there were two preservation companies, Brown's River and Marotti Co. They have merged into one company- Brown's River Marotti Co. She informed the Board that this is the only bidder and is a single source bidder consistent with RSA 28:8-e, particularly RSA 28:8-(d) through (h), and explained that the vendor has completed restoration service for the Registry in the past, the vendor is experienced and familiar with the Registry, and the bidder has met three significant requirements relative to security, transportation, and treatment recommendation. Ms. Coughlin informed the Board that this vendor personally brings the documents to his vault. The books will be de-acidified; some of the books will have to be split, so there will be a need for extra shelving, which is included in the bid. The vendor provides a cost per book and per grouping; there will be a checklist so the books will be checked out and back in when returned. Comm. Holden noted that she met the vendor at the NHAC Conference; she had heard good references from others. Comm. Clemons noted his understanding that this is a ten year plan and asked the present status; Ms. Coughlin responded that this is the first year. Comm. Pappas noted that the project is included in the budget, and asked the Board's pleasure relative to this bid.

Motion: To approve Bid # 2009-01 for the Registry to Brown's River Marotti Co in the amount of \$119,872, noting that this is a single source bidder consistent with RSA 28:8-e. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

8. Old/New Business

Ms. Coughlin noted that she is still waiting for the interior repairs to the building so the Registry staff can move its books and files back to their rightful position. She informed the Board that she has water filters that need changing; filters cannot be changed without the approval of the building manager, and she is not available. Ms. Coughlin requested the name of a contact person for those times when the building manager is not available.

Security Update at Temple Street

Ms. Robinson was not available to present an update relative to the security contract. Comm. Holden noted that the back door continues to be propped open. The BOC suggested that the Register of Deeds put up the sign that would direct the public to the front door and to include the wording: "Per order of the Board of Commissioners" on the sign.

The Board addressed the Silver Star Proclamation letter that was discussed at its last meeting.

Motion: To approve the Silver Star Proclamation. It is an appreciation of the Silver Star families of America to honor their commitment to our wounded Armed Forces members so, "We hereby declare May 1st SILVER STAR BANNER DAY in Hillsborough County, New Hampshire, the annual and official day to honor the wounded and ill Soldiers of the County of Hillsborough." Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Supt O'Mara informed the Board that Health & Human Services has closed the multiple offender program, which was housed in Laconia. It is the mandatory treatment component for at least two levels of DWI; the first offense results in a ten-day sentence with three days in the County House of Correction followed by seven days in the multiple offender program. He noted that the second offense results in a twenty-one day mandatory sentence, fourteen of which is served in the House of Correction and seven in the multiple offender program. He noted that he brought it to the Board's attention so that it would be aware that the complete sentence cannot be served in the Department of Correction; a portion is broken out by law, and the HHS Director has the option of finding comparable programs. He noted; however, that even prior to the closing, the waiting time for the multiple offender program was three months. The program closing should not affect the jail relative to time served.

Supt O'Mara noted that Lt. David Cargill of the NH State Police will retire November 1st and assume the position of U. S. Marshall for the District of the State of New Hampshire. Supt O'Mara noted that the DOC has worked very closely with Lt. Cargill and is looking forward to working with him in the future.

Supt O'Mara presented a travel request; however, a copy had not been received by the entire Board; the request will be presented at the next Board meeting.

Supt O'Mara requested an opportunity to meet with the Board in Non-Public session.

Comm. Pappas congratulated Supt. O'Mara for being named the New Hampshire Correction Superintendent of the year by the NH Association of Counties. She also offered her congratulations on behalf of the Board to Heidi Bernier who was chosen as Nursing Home employee of the year.

Comm. Clemons communicated that he received a very positive call from the mother of an inmate who indicated that she was very satisfied with the care received at the DOC, and noted that her son always received his medications on time.

Mr. Wenger presented the Board with a letter to Governor Lynch for the Board's signature relative its action at the last meeting when it voted to wave the Recovery Zone Facility Bonds, and return them to the State. The Board reviewed and executed the letter.

Comm. Clemons requested a Non-Public session relative to personnel. Mr. Wenger requested a Non-Public session under RSA 91-A: 3 II(d) and to meet with the Board relative to collective bargaining negotiations.

Comm. Holden noted that the Right-to-Know Commission will be meeting the following day, and it will be discussing future legislation; she will bring up a couple of concerns that she and Tom Reed discussed while attending the NHAC Conference. In response to an inquiry for Mr. O'Mara Comm. Holden indicated that she anticipated that the Attorney General's interpretation of the Right to Know law would be discussed at the Commission meeting.

She also informed the Board that the Hillsborough County 4-H Foundation is having a Pig Roast on Saturday, November 14.

Comm. Pappas informed the Board that in spite of the fact that the YMCA received no incentive funds through the County this year, it did send a letter of thanks for what Hillsborough County does for the YMCA.

Mr. Wenger noted that Nursing Home AFSCME grievances were scheduled for Nov. 24th, but it is his understanding that there is an arbitration taking place that morning; he asked the Board if it would be available on December 9th at its regular meeting. The Board agreed to reschedule the grievances.

Attorney Wilson requested a brief consult with Counsel. The Board will meet with S. Wilson consistent with RSA 91-A:2, consultation with Counsel.

9. Non-Public Session

The following motion was presented:

Motion: To go into Non-Public session and to meet with:

- Mr. Wenger, M. O'Neil, and M. Rusch consistent with RSA 91-A:3 II (d) relative to a lease issue,
- Supt O'Mara consistent with RSA 91-A:3 II (a) relative to personnel,
- The Board to consider personnel issues under RSA 91-A:3 II (a) at the request of Comm. Clemons.

Motion by Comm. Holden, second by Comm. Clemons. Pappas-yes, Clemons-yes, Holden-yes.
Motion carried.

The Board moved into Non-Public Session at 11:07 a.m.

The Board met with Mr. Wenger, M. O'Neil and M. Rusch joined the meeting, to review the status of lease negotiations for office space in Nashua for the County Attorney's Office.

The Board met with Mr. O'Mara to discuss a personnel matter at the Department of Corrections.

The Board met to discuss administrator annual reviews.

No action was taken during Non-Public session.

The Board moved out of Non-Public Session at 11:48 a.m.

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

Motion: To move into recess. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

The Board moved out of recess.

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

The Board discussed Department Head reviews and came to the conclusion that it will address them after the next Board meeting.

Mr. Wenger reported that working with the various departments involved, the current plan is to move the Sheriff's Transportation group into space presently occupied by the Business Office by creating a dividing wall and reconfiguring the remaining space to accommodate the Business Office staff. He suggested that the project has been scaled down to include a new entrance to the Business Office from the hallway and removing the wall between the copy room and the office staff area. There was discussion regarding the cost and acknowledgement that the cost will not exceed \$5,000.

Comm. Holden noted that the plaque was never put up for the rededication of the Bouchard Building following the initial renovation. She noted that she had a commitment from an individual to donate the plaque. There had been agreement at that time that it would be placed next to the fireplace in the hallway. Comm. Holden also noted that she had received a request to add a name to the granite benches at the front of the building and an offer to pay for the addition. A brief discussion followed and the Board agreed to give the request its consideration.

10. Adjourn

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

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

The meeting adjourned at 11:55 p.m.

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date