

Regular Meeting of the
Hillsborough County Board of Commissioners
November 16, 2011
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. S. Ziehm, Comm. C. Holden, Comm. Pappas, P. Coughlin, D. Dionne, C. Kirby, B. Moorehead, D. Reidy, G. Wenger, and L. Stonner

1. Call to Order

Comm. Ziehm called the meeting to order 9:05 a.m.

2. Pledge to the Flag

Interim Supt. Dionne led the Pledge of Allegiance.

In response to a request from Comm. Pappas, the Board held a moment of silence in honor of Mr. Russ Marcoux who recently passed away; he was the Bedford Town Administrator.

3. Administrative Business

Minutes

Motion: Comm. Holden moved to approve the following minutes that were deferred from the last meeting:

- April 12, 2011 Budget Meeting
- April 20, 2011 Budget Meeting
- September 21, 2011 Regular BOC Meeting
- October 19, 2011 Regular BOC Meeting

Comm. Pappas seconded the motion. Motion carried.

Motion: Comm. Pappas moved to approve the following minutes:

- April 6, 2011 Budget Meeting
- April 7, 2011 Budget Meeting
- April 14, 2011 Budget Meeting
- April 18, 2011 Budget Meeting
- April 22, 2011 Budget Meeting
- November 2, 2011 Regular BOC Meeting

Comm. Holden seconded the motion: Motion carried.

Approval of Payroll and Accounts Payable Registers

The Board addressed Payroll Registers.

Motion: Comm. Pappas moved to approve miscellaneous Payroll Registers for the following dates and amounts:

- November 2, 2011 in the amount of \$468.44
- November 2, 2011 in the amount of \$112.47
- November 10, 2011 in the amount of \$40.00
- November 14, 2011 in the amount of \$560.00
- November 14, 2011 in the amount of \$100.76

for a total miscellaneous payroll of \$1,281.67 subject to review and audit. Comm. Holden seconded the motion. Motion adopted.

Motion: Comm. Holden moved to approve a regular Payroll Register dated November 10, 2011, in the amount of \$1,115,736.82 subject to review and audit. Comm. Pappas seconded the motion. Motion carried.

Approval of Accounts Payable Registers

Motion: Comm. Pappas moved to approve Accounts Payable Registers for the following dates and amounts:

- November 15, 2011 in the amount of \$2,250,965.18
- November 15, 2011 in the amount of \$901.50

for a total Accounts Payable of \$2,251,866.68, subject to review and audit. Second by Comm. Holden. Motion carried.

Transfer # 2012-08 – DOC Fuel Oil to Real Estate Taxes

Motion: To approve Transfer # 12-09 for the Complex to transfer the amount of \$94 from line 4198-7650, Fuel Oil, and to transfer a like amount to line 4198-7850, Real Estate Taxes. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Comm. Holden added that the aforementioned Transfer provides an additional \$94 needed for Real Estate Taxes related to a budget Transfer of \$1200 for the same purpose that was previously approved by the Executive Committee.

4. Public Comment on Agenda Items

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

5. Department of Corrections

Census

Interim Supt. Dionne presented the Department of Corrections Census information to the Board. He informed the Board that as of November 8, 2011, the DOC Census included 525 in custody, 510 of whom were in-house and 14 in the community. The Census included 465 men of whom 343 were being held pre-trial and 122 that had been sentenced. There were 60 women of whom 42 were being held pre-trial and 18 that had been sentenced.

Mr. Dionne requested that the board approve two positions that will be funded by a \$250,000 grant that was received for the Pre-Trial Release Program. He added that the positions being requested are Pre-Trial Supervision Officer and Pre-Trial Supervision Coordinator, and noted that the grant runs through Sept. 30, 2013.

Motion: To approve the positions of Pre-Trial Supervision Officer and Pre-Trial Supervision Coordinator as requested by Mr. Dionne. Motion by Comm. Holden, second by Comm. Pappas.

Comm. Holden inquired if the automobile, computer and everything required is covered by the grant and if the positions would end at the end of the grant period. Mr. Dionne responded in the affirmative, adding that the grant also covers two laptop computers, radios, and a shared printer. The Board agreed to support the motion with the stipulation that the grant covered all that was discussed and that the positions terminate at the end of the grant period.

Comm. Ziehm asked for information relative to the grant. Mr. Dionne explained that this is a grant from the Department of Justice for individuals with mental health issues that meet certain criteria that will allow them to wear an electronic bracelet on a pre-trial basis and avoid incarceration. Mr. Wenger added that this is a grant that was discussed during the budget process and was authorized by the Board; there were actually two grants that the County applied for; this grant was awarded but the companion grant, which was for expansion was not received. He explained that the Department of Justice had questions with respect to the budget; the questions have been answered; the County cannot proceed until budget approval is received; the County funding is in Contingency so a transfer will be needed once approval comes through. He added that there is a requirement for a 20% match from the County that will be met with in-kind services. Further discussion ensued relative to the history of the grant application.

Motion carried to approve the creation of the two positions.

Mr. Dionne informed the Board that the DOC has had two recent hospital details; one was related to an inmate having seizures and the other was as a result of an inmate swallowing a pen. Both inmates were treated. He added that the inmate who swallowed the pen did the same thing the previous May; Mr. Dionne added that he does not know what the resulting cost will be. He added that there is another inmate who is receiving HIV meds at a cost of \$2,884/mo.

Mr. Dionne offered that on a good note there have been two recent promotions at the DOC; Sgt. Vincent Williams as promoted to the rank of Lieutenant, and David Mercer was promoted to the rank of Sergeant.

Mr. Dionne added that when he attends the Study Group meetings the following Thursday and Friday, he will discuss consideration of legislation that will make inmates liable for medical costs when they harm themselves.

Mr. Dionne reported that a lawsuit against the DOC resulted in a verdict for the County; he added that it took the jury less than one-half hour to elect a chair and return with a verdict in favor of Hillsborough County. He added this thanks to the Commissioners, Primex and all who support the staff at the DOC.

6. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census; he reported that the Census as of November 10th was 278, which included 198 Medicaid residents, 51 Private Pay residents, and 29 Medicare-Part A residents.

Bid # 09-2012 Trash Disposal

Mr. Moorehead explained that Bid # 09-2012 is for trash removal; he explained that the lowest responsible bidder of the three bids that were submitted is Waste Management, Londonderry, NH at a monthly cost of \$2,722.89.

Motion: To approve Bid # 09-2012; the item is trash disposal and the lowest responsible bidder is Waste Management, Londonderry, NH at a monthly cost of \$2,722.89; the annual cost is \$32,674.68. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Comm. Holden added that while the Board prefers to do business with vendors in Hillsborough County, the statute requires that the Board accept the lowest responsible bidder; the lowest bidder is not located in the County, but the bid is \$37/month lower than that of a local vendor, and the Board has no choice. Mr. Moorehead added that this is a three-year agreement and Waste Management is the current provider; he added that Mr. Lencki also spoke with the local vendor but was unable to negotiate a lower price.

Bid # 10-2012 – Medical Waste

Mr. Moorehead informed the Board that Bid # 10-2012 is for disposal of the red-bagged waste, which includes sharp needles and medical waste that is generated at the Nursing Home; the lowest responsible bidder is Stericycle, Inc., North Brook, IL, at a price of \$20.59 per box; it is a three-year agreement. He added that the Nursing Home generates approximately 490 boxes a year; the medical waste is picked up weekly.

Motion: To approve Bid # 10-2012 for the disposal of medical waste to Stericycle, Inc., North Brook, IL, at a price of \$20.59 per box; it is a three-year agreement and they are the lowest responsible bidder. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Bid # 11-2012 – Privacy Curtains

Mr. Moorehead explained that Bid # 11-2012 is for privacy curtains for Unit A-2 that is currently being renovated; he added that the curtains meet all fire code regulations; the lowest responsible bidder is Harbor Linen, Cherry Hill, NJ, at a price of \$92.88 each for a total of \$4,644 for the project, which is well under the \$8,000 that was budgeted for that item; he added that seven bids were received.

Motion: To approve Bid # 11-2012; the lowest responsible bidder is Harbor Linen, Cherry Hill, NJ; the bid is for privacy curtains at a price of \$92.88 each for a total of \$4,644. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

The Board reviewed an article that appeared in the Goffstown News; it highlighted a resident who has knitted many hats for a local school. Mr. Moorehead added that the resident knits hundreds of hats each year.

7. Registry of Deeds

Register P. Coughlin provided a revenue update for the Board. She explained that the Registry has experienced an increase in Tax Stamps for the month of October; the document count is up for the current month. In response to a question from Comm. Ziehm, Ms. Coughlin noted that the Registry is a bit ahead of budget for the year-to-date. Ms. Coughlin thanked the DOC for its help in re-arranging furniture the previous day at the Registry; she added that the Community Service Program inmates did a fantastic job and offered that this is a valuable service to the County.

In response to a question from Comm. Ziehm relative to the County Attorney's Office move, Mr. Dionne explained that there are law books and furniture that still need to be moved from 300 Chestnut Street.

Mr. Wenger addressed the 2012 Holiday Schedule that the Board has in its packet; He explained that it follows past practice and asked if the Board wished to move forward with approval of the schedule.

Motion: To approve the 2012 Holiday Schedule. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Mr. Wenger noted that the Board has been provided a draft meeting schedule for the Commissioner's meetings for the coming year through the end of November 2012. He added that December meetings may conflict with holiday schedules and can be addressed at a later time. The Commissioners discussed the schedule, and whether it should continue meeting at 9:00 a.m. through the winter; they agreed to look at their calendars and address it at the next Board meeting.

Mr. Wenger referred the Board to his Petition to Amend Policies and Procedures. He added that the Petition to Amend addresses a number of County Policies and explained that the Petition is submitted consistent with policy 5-1:B Amendments; he added that requires that the Board address the amendments as the Personnel Commission to consider all petitions submitted by Commissioners or an Official/Administrator. Mr. Wenger noted that should the Board desire to proceed with changes, there is a requirement that a meeting take place and there is a ten-day posting requirement. He explained that the majority of proposed changes came from the Department Heads; the objective is to re-organize the Policy & Procedure manual in such a way that it is more employee friendly, that it clarifies the content, and that it will provide consistency across the County. He offered that this would be the time for anyone to bring forward any issues so they can be addressed before the manual is reprinted. He noted that once the manual is complete it will be published. In response to a question from Comm. Ziehm, he added that an employee may request a copy of the Petition, and should the Commission wish to proceed to a hearing, a ten-day notice and posting is required. The Board agreed to take the Petition under advisement.

Comm. Holden noted that she received a request from Ms. B. Mays to allow her to transcribe the burial records for Pine Hill Cemetery. Following discussion with Mr. Moorehead, it was agreed that Comm. Holden and Ms. Mays would meet with Ms. Chidavaenzi at the Nursing Home, to discuss the request.

Mr. Wenger informed the Board that he, D. Reidy and Comm. Holden recently attended a Goffstown Planning Board workshop relative to zoning alternatives for the County property. Mr. Wenger added that the discussion was fruitful and that the Board seems favorable to a zoning change. He explained that the majority of County property is currently zoned as Agricultural, but the Board would welcome a request to change the zoning to a Commercial Industrial Flexible zone, and noted that this will benefit the County because of the flexible options it offered. Following discussion, the Board agreed to support the effort to move forward with the zoning change request.

Motion: To authorize the County Administrator to process with the drafting and filing of a petition to amend with the Town of Goffstown, seeking to change the current zoning of the County's lands in said Town. Motion by Comm. Pappas, second by Comm. Holden. Motion carried unanimously.

The Board addressed the lease for the Women's Prison, which expires on June 30th; it agreed that further discussion regarding options and details should occur in Non-Public session. It was noted that the State has 90 days to advise the County of its intent to renew or not renew.

Mr. Moorehead informed the Board that he attended a meeting of the Technical Advisory Committee; it is the group that makes recommendations to the Commissioner of Health & Human Services regarding what the reimbursement rates for Nursing Home should be. He observed that the Medicaid rate has been cut by

2.8% and he explained many factors affecting the rates going forward. He added that MDS 3.0 remains a concern as it will reduce the Medicare per diem rate by 11.2%.

Mr. Wenger updated the Board relative to the Rail Trail request regarding the land behind the Women's Prison; he added that a meeting will be scheduled with the Representatives of the State and Rail to Trail to discuss options.

Mr. Wenger reported that the last payroll for 2011 for using Sick Time will be that of December 22nd, and noted that all Sick Time after December 17th will go into 2012.

Mr. Wenger verified that the Commissioners will all be available for the next two Board meetings; he has grievances to schedule.

Mr. Wenger reported that Primex representatives will be attending the Operations Study Group meeting the following Friday.

Mr. Wenger verified that the Commissioners will all be available at the 11/30 and/or the 12/2 Board meetings. He noted that he has been in touch with other members of the Superintendent Search Committee and those two dates are best; he will confirm a date and report back to the Board.

Comm. Ziehm inquired about whether the Departments were on track with their reorganization plan. Mr. Wenger responded that every Department has reorganized, beginning with the Department of Corrections and ending with the Sheriff's Department. Discussion ensued with a consensus that perhaps the Executive Committee is not aware of the reorganization that has occurred. Mr. Wenger added that discussions have taken place relative to the Human Services Department.

11. Public Comment

There was no one present who wished to comment.

10. Non-Public Session

Mr. Wenger requested an opportunity to meet with the Board in Non-Public Session relative to collective bargaining and to a personnel matter; the board agreed to meet to discuss a lease issue and Comm. Ziehm requested an opportunity to consult with Counsel.

Motion: To move into Recess. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

The Board moved into Recess at 10:25 a.m.

The meeting reconvened at 10:40 a.m.

Motion: To reconvene the meeting. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To move into Non-Public Session consistent with RSA 91-A:3 II (e) relative to the sale or lease of land, and then to meet consistent with A 91-A:3 II (a) to discuss a personnel issue for the Business Office. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

The Board moved into Non-Public Session at 10:40 a.m.

The Board met with Attorney Kirby, D. Dionne and Mr. Wenger relative to the lease of real property.

The Board met with Mr. Wenger relative to a personnel issue.

The Board moved out of Non-Public Session at 11:22 a.m.

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

The Board requested an opportunity to consult with Counsel.

Motion: To move into Recess. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

The Board moved into Recess at 11:23 a.m.

The meeting reconvened at 12:25 p.m.

Motion: To reconvene the meeting. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Wenger provided Comm. Ziehm with an Appropriation Control Report.

Mr. Wenger directed the board to a letter from the Town of Peterborough in the Board packet relative to its plans for expansion and a change to the tax increment district. The Board agreed that no action was necessary.

11. Adjourn

There being no further business, Comm. Ziehm entertained a motion to adjourn.

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

The meeting adjourned at 11:44 a.m.

Approved 11/30/2011

Comm. Carol H. Holden
Vice Chairman/Clerk
Hillsborough County Board of Commissioners

Date