

Regular Meeting of the
Hillsborough County Board of Commissioners
November 17, 2010
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. T. Pappas, Comm. C. Holden, Comm. M. Clemons, C. Kirby, M. Lencki, B. Moorehead, J. O'Mara, D. Reidy, E. Robinson, G. Wenger, E. Casey, and L. Stonner.

Also Present: S. Ziehm, S. Lyons, P. Martel

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 J. O'Mara.

Administrative Business

Commissioner Pappas noted that the Board would address administrative business at this time.

Minutes

November 4, 2010 Board of Commissioner's Meeting

Motion: To approve the minutes of the Hillsborough County Board of Commissioners held on November 4, 2010. By Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Payroll Register

Motion: To approve the Payroll Register dated November 10, 2010 in the amount of \$1,164,699.60, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Approval of Accounts Payable Registers

Motion: To approve the Accounts Payable Register dated November 16, 2010 in the amount of \$2,259,253.52, subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the Accounts Payable Register dated November 17, 2010 in the amount of \$115,933.25, subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Approval of Sheriff's Extraditions

Motion: To approve Sheriff's Extradition vouchers:

- dated August 6, 2010 in the amount of \$186.56,
- dated August 10, 2010 in the amount of \$10,00,
- dated August 10, 2010 in the amount of \$900.12, and
- dated September 2, 2010 in the amount of \$326.93

for a total of \$1,423.61, noting that they have previously been approved by the County Attorney. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Transfer # 2011-03 Contingency to Human Services

Motion: To approve Transfer # 2011-03 to transfer \$25,288 from Contingency line 4199-7740, and to transfer the amount of \$22,564 to Human Services line 4441-7010 Salary & Wages, and to transfer the amount of \$2,724 to Human Services line 4441-7100 Social Security. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Ms. Robinson explained that this is for two positions, a Victim Witness Advocate and an assistant. In response to a question from Comm. Holden relative to funding, Ms. Robinson explained that the positions will be fully funded by a grant that will end in April. She noted that these are temporary positions that will end in April unless further grant funding is secured.

Transfer # 2011-04 - Corrections

Mr. Wenger explained that there is a second transfer for the Board's consideration and noted that the original has been reviewed and executed. He noted that it is Transfer #2011-4, submitted by the Department of Corrections.

Mr. O'Mara explained that this is a request to transfer \$100,000 from the DOC Salaries/Wages line 4230-7010 and to transfer a like amount to Overtime line 4230-7011. He explained that funds are available in the Salaries/Wages line because of vacancies; the overtime amount relates to the extra hours worked by the remaining staff that has had to cover the vacancies. He noted that it is not unusual for this to occur.

Motion: To approve Transfer # 2011-04 for the Department of Corrections to transfer \$100,000 from Salaries/Wages line 4230-7010, and to transfer a like amount to Overtime line 4230-7011. Motion by Comm. Clemons, second by Comm Holden. Motion carried.

Mr. Wenger informed the Board that the Nursing Home AFSCME unit representatives were here today relative to approval of the contract. Comm. Pappas invited S. Lyons and P. Martel, union representatives, to join the Board at the table. Mr. Wenger noted that the County has worked out the language of the contract; the bargaining agreement has been approved by the union and is consistent with what the Board approved on May 19th; the contract is ready for the Board's signature. Comm. Holden explained that she would like a few minutes to peruse the contract. Action was deferred to later in the meeting,

Public Comment on Agenda Items

There was no one present who wished to address agenda items.

Department of Corrections

Census

Supt. O'Mara presented the DOC Census, noting that as of November 15, 2010, the Census was 604, which included 550 men of whom 387 were being held pre-trial and 163 that had been sentenced. There were 57 women of whom 39 were being held pre-trial and 18 that had been sentenced. Mr. O' Mara informed the Board that the Department of Corrections currently has 25 inmates in the community under home confinement or day reporting.

Mr. O'Mara noted that he has one item to address under Old/New Business.

Comm. Holden remarked that she was ready to act on the AFCSME contract. Comm. Pappas asked if there were any further questions. Mr. Wenger explained that there had been a concern relative to uniform

reimbursement; it is paid twice a year, one reimbursement would have been the previous August. He noted that it was agreed that 30 days from the date of the execution of the contract; the employees can submit their expense and they will be reimbursed. Mr. Wenger distributed 3 copies of the contract and the Board executed the agreement; it had been executed previously by the bargaining unit. Mr. Wenger requested that Mr. Lyons contact Mr. Flygare and that he return two copies of the signed contract; Mr. Lyons indicated that he will do that. Mr. Lyons expressed his thanks to everyone involved in the bargaining process.

Mr. Wenger informed the Chair that Mr. Moorehead will be joining the meeting later.

Comm. Pappas suggested that the Board address Old/New Business at this time.

Old/New Business.

Mr. O' Mara informed the Board that each year the Department of Corrections has received funds from an annual SCAAP grant; it is a grant that the DOC can apply for that covers the room and board of illegal aliens. He explained that after noting that the funding was down last year, he did some research and discovered that there is a new reporting formula that the DOC was not aware of. After applying for the current year, he learned that there will be \$48,849 coming in that will go into the general fund; that is an increase of \$43,737 over the previous year. Comm. Clemons asked if the funds are State or Federal funds; Mr. O' Mara responded that they are Federal funds.

Ms. Robinson informed the Board that it is necessary to create the 2 new part-time positions funded through the transfer approved earlier in the meeting; they are not current positions in the Human Services Department. Comm. Holden inquired if the two new employees will be located in the Human Services office; Ms. Robinson responded that they would be in her Department, but they come with their own furniture, laptop computer and cell phone; there are existing phones so there will not be a need to add any. Comm. Clemons offered that this will provide the citizens of Hillsborough County with a service at no cost to the County taxpayers. Ms. Robinson noted that the advocate serves approximately 250 victims per year, and that the Human Services Department has had victims requesting help and it is limited in what it can do for them. In response to a question from Comm. Clemons, Mr. Wenger noted that this would be creating new positions and it is necessary to have a Job Description as well as approval by the Executive Committee. Ms. Robinson indicated that the new positions are scheduled to start in mid-December. Discussion ensued about the need to approve these positions at this meeting so that they can be presented at the Executive Committee meeting the following Friday. Comm. Pappas indicated that the Board would prefer to see the Job Descriptions prior to approving them. Following discussion, Ms. Robinson indicated that she will get the Job Descriptions prior to the end of this meeting.

Comm. Holden pointed out that the Victim Advocate will serve only the Goffstown District Court. Comm. Holden inquired if the County Attorney's office could have handled these employees rather than the Human Services Department; Ms. Robinson expressed her belief that it would be more difficult for the County Attorney's office because it is located in Nashua and this advocate will service the Goffstown Court, which is located in the Bouchard Building. Comm. Holden asked if this just came up today; Ms. Robinson responded that it developed within the last couple weeks, and was only recently approved by the Attorney General's Office.

Attorney Kirby suggested that the new positions be created and the job descriptions developed prior to approval.

Ms. Robinson indicated that she has the reports that Comm. Holden requested at the previous meeting relative to the Family Intervention and ADDE programs. She explained that she is providing a copy of the Family Intervention quarterly report that is sent to the State. Ms. Robinson indicated that she has not received notification relative to the grant award; the report is based on report dates; the budget is based on current;

however, the number of families served is based on the end of September; 83 families and 163 children were served.

Ms. Robinson informed the Board that the information she distributed is based on the budget; the Department has collected \$20,249 to date. Ms. Robinson indicated that she also provided the Board with a report that shows the clients that have been served, noting that names have been redacted. Comm. Holden inquired if Human Services was still giving payments to families for pizza and clothing; she noted that those don't show up in the Family Intervention program expenses. Ms. Robinson responded that the Department still does pay for occasional food for kids... a staff member may take them out for Dunkin Donuts or that sort of thing. She explained that while clothing used to be purchased out of flex funds, the Department is no longer doing that. Comm. Holden inquired if there is any accounting of what is spent; Ms. Robinson explained that it is on the staff's travel vouchers and can easily be produced. She went on to explain that the expense is relatively modest; it is the occasional pizza, McDonald's or Dunkin Donuts, but it is done as a way to work with families, particularly with kids because they are hungry. Ms. Robinson agreed to provide the information relative to the expense.

Comm. Holden asked Ms. Robinson for Dental Discount program PR materials so that she can get the information to the newspapers and the communities in her District. Ms. Robinson offered to put a box together and noted that one of her hesitations relates to what Dentists accept the Dental Discount program and noted that it appears that more National Dental companies accept the program than local Dentists.

Comm. Holden noted that Careington will be reaching out to other Dentists to see if they would want to join. She explained that the program is better defined as a contract between the individual and the Dentist, and the County is not involved. She noted that while Manchester and Nashua have many participating dentists, there may be fewer in the Towns. Comm. Holden noted that she will be participating in a conference call with Careington the following Friday and she will encourage them to get a letter out to the other Dentists.

Ms. Robinson excused herself from the meeting to attend to the requested Job Descriptions.

Nursing Home

Comm. Pappas recognized Mr. Moorehead, who had been delayed.

Census

Mr. Moorehead presented the Nursing Home census and explained that as of November 11, 2010, the census for the Nursing Home was 281, which included 209 Medicaid residents, 50 private pay residents, and 22 Medicare Part A residents. He noted that census today was 280; the skilled care census is 26, and the mix overall is very favorable.

Bid # 06-2011 – Fuel Oil

Mr. Moorehead informed the Board that Bid # 04-2011 is for fuel oil for the Nursing Home, Complex and Department of Corrections. He explained that Mr. Lencki just received the fuel prices this morning and noted that fuel prices have been spiking but fell dramatically yesterday and Mr. Lencki was able to lock in favorable rates. Mr. Moorehead explained No. 4 fuel oil is used by the Nursing Home and No. 2 fuel oil is used by the DOC and the Complex. He recommended Sprague Energy, Portsmouth, NH as the lowest responsible bidder for the No. 4 fuel oil at the price of \$2.46 per gallon, and Hanscom Truck Stop, Portsmouth, NH, as the lowest responsible bidder for the No. 2 fuel oil at a price of \$2.50 per gallon. Mr. Moorehead informed the Board that the bid is based on 65,000 and 50,000 gallons for the Complex and the DOC respectively, and the bid for the Nursing Home is based on usage of 100,000 gallons.

Comm. Clemons asked about the difference between No. 2 and No. 4 fuel oil; Mr. Lencki responded that the No. 4 heating oil is the standard heating oil that would be used in a home and is used by the Complex and the DOC. He noted that the No. 4 fuel oil that is used at the Nursing Home is heavier; an additive is used and it is heated.

Motion: To approve Bid # 06-2011 for fuel oil; it is for No. 4 oil from Sprague Energy, Portsmouth, NH at \$2.46 per gallon, noting it is the lowest responsible bidder, and to Hanscom Truck Stop, Portsmouth, NH, for No. 2 fuel oil at \$2.50 per gallon as the lowest responsible bidder for the DOC and the County Complex. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Resident Christmas Gifts

Mr. Moorehead explained that each year the Nursing Home residents have been given a Christmas gift that is a joint effort between the County and the Resident Council; the County typically provides \$8 of a \$10 gift, and the Resident council covers \$2. Mr. Moorehead recommended providing an estimated 285 resident gifts for a total of \$2280, and explained that the County's portion is funded in the Commissioner's Recruitment and Retention line. Comm. Pappas noted that this is something the Board does each year.

Motion: To approve the Nursing Home resident Christmas gifts, as stated by Mr. Moorehead. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden inquired when the Resident Council meets, and noted that she has attended on occasion. Mr. Moorehead responded that it typically meets on the second Thursday of each month at 10:30; he offered to see that she receives an invitation.

October, 2010 Revenue

Mr. Moorehead presented revenue information and explained that the budgeted revenue for September was \$1,683,196 and the actual revenue for the month was \$1,767,275, which resulted in a positive variance of \$84,079. He explained that the report does not include ProShare, which comes in once a year, the Bed Tax, which is quarterly, or any Stimulus monies; these items will be reflected when they come in.

Mr. Wenger informed the Board that another meeting was held with CBIG the previous day with regard to the Nursing Home Paperless project; the result is that there is a need to again request that the Board authorize Mr. Moorehead to expend funds from the Capital Reserve fund. He noted that approximately one year ago, the Board approved a contract with CBIG to provide consulting services; at that point it was partially funded within the budget and the remaining funds were to come out of the Capital Reserve. Mr. Wenger requested that the Board consider a motion to authorize Mr. Moorehead to expend the funds, consistent with the recent bids that have been approved, in the amount of \$32,688.

Motion: To authorize the Nursing Home Administrator to expend up to \$32,688 from the Capital Reserve Fund for the Purchase and Implementation of an Electronic Data System for the Hillsborough County Nursing Home consistent with Bid # 5-2010 to Healthcare Information Systems Consulting Services. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Pappas referred the Board to information in its packet from the Town of Bedford relative to the South River Road Tax Increment Financing District (TIF). She noted that they are holding a meeting this evening, further noting that she might attend the meeting or meet separately with Mr. Marcoux, Bedford's Town Manager. Comm. Holden noted that Bedford is seeking a letter of support and favored this action, particularly since there was no money involved; Comm. Pappas concurred.

Mr. Wenger explained that the TIF relates to the section along the Bedford Mall where there are several ongoing projects; they are looking to improve access and are required to consult and provide information to the Board of Commissioners. He noted that there have been other similar requests. Following discussion the Board agreed to support the project and authorize the Chair to sign the letter of support.

Motion: To forward a letter of support for the Town of Bedford New Hampshire South River Road Tax Financing Increment (TIF) District to the Town and to authorize the Chair to sign on behalf of the Board. By Comm. Holden, second by Comm. Clemons. Motion carried unanimously.

The Board agreed to postpone the discussion relative to the grievance and the Administrator reviews until after all other Old/New business is complete.

Comm. Holden asked if there was any progress on the Wilton Cemetery; Attorney Kirby responded that plan was that Comm. Holden would go with Attorney Kirby and Supt. O'Mara to visit when she returned. Attorney Kirby indicated that she will be happy to go whenever Comm. Holden is available. Comm. Holden noted that Mr. Dunn continues to call and has informed her that the Town took down some trees.

Comm. Holden reported she attended a meeting of the Goffstown Youth Summit on November 12th. She noted that there was discussion about what the Cooperative Extension does and a concern that there are not overlapping programs and that they work together. She indicated that she will share the information with Mr. Reidy.

Comm. Holden reported that she and Comm. Pappas attended the NH Association of Counties luncheon the previous day for the newly elected State Representatives; she noted that it seems to be a very engaged group. Comm. Pappas reported that they had a new brochure that was very helpful and noted she is hopeful that the Reps all understand that they are wearing a County hat as well as a State hat.

Comm. Holden reported that she participated in a tour of the available buildings on the complex property with Mr. Wenger, Mr. Reidy and a reporter and photographer from the Nashua Telegraph the previous week. She explained that they toured the Bouchard Building and other buildings that are not utilized for the purpose of developing an article for the paper. She noted that she has not seen an article yet and is not sure what will come out of it. Mr. Wenger informed the Board that the request for the tour came as a result of the News Release and proposal relative to the vacant buildings; he noted that he provided them with a copy of the Charrette report and is hopeful that there will be a positive outcome.

Mr. Wenger informed the Board that he received a call from Jack Wozmak, Cheshire County Administrator, two weeks ago at which time he indicated that he had given information to the Southwest Regional Planning Commission regarding a grant that is available through the NH Department of Transportation. He explained that the Eastern Monadnock Regional Planning Council for Community Transportation has received an opportunity to obtain a \$36,000 grant from the NH Department of Transportation, noting that the District includes 10 Towns – Antrim, Bennington, Frankestown, Greenfield, Greenville, Hancock, New Ipswich, Peterborough, Sharon, and Temple. He explained that they need a lead agency to move forward with the grant application. They need an organization that will make the application, receive and disburse the funds, and had been working with another entity that pulled out so they are scrambling to find another agency. He noted that he has explained the County's issue with funding, but also suggested that the Board might be willing to review the information and give consideration as to whether it would be interested in pursuing this. He explained that he does have a packet that he provided the Board. Cheshire County will be managing a portion of the project. He noted that the Board can decide if it wishes to have them come address the Board. It is a fully funded grant that would flow through the County. The Board agreed to take the request under advisement. Comm. Holden suggested that perhaps they could be invited to the next Board meeting should the Board wish more information.

The Board discussed the date for the swearing in of the newly elected officials. Mr. Wenger noted that he has reviewed the Statute and explained that the next term of office starts the first Wednesday following the first Tuesday of January; that being the case, he suggested that January 5th would be the appropriate date for the swearing in. The Board concurred, and following discussion, it was decided that the Board would ask Judge Lawrence if he would be available to officiate.

Comm. Pappas noted that the Board has two Non-Public Sessions. Attorney Kirby requested an opportunity to meet with the Board regarding pending litigation relative to the Nursing Home and to the Registry of Deeds. Following discussion, the Board agreed to recess to meet with Attorney Kirby and then meet in Non-Public Session.

Comm. Pappas entertained a motion to recess to consult with Counsel.

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

The Board entered Recess at 10:55 a.m.

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

Motion: To come out of Recess. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Non-Public Session

Motion: To move into Non-Public session consistent with RSA 91-A: 3 II (a) to address a personnel issue. Motion by Comm. Holden, second by Comm. Clemons. Pappas-yes, Holden-yes, Clemons-yes. Motion carried.

The Board moved into Non-Public session at 11:12 p.m.

The Board discussed the creating of two part-time positions in the Human Services Department as requested earlier in the meeting and conducted its annual Administrative Reviews. No action was taken during Non-Public session.

The Board moved out of Non-Public session at 1:00 p.m.

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

Comm. Pappas asked if there were any other business before the Board.

Motion: To accept the proposal to establish 2 part-time positions in the Human Services Department effective December 1, 2010, for the term of the grant. Motion by Comm. Clemons second by Comm. Holden. Motion carried.

The Board discussed upcoming negotiations dates and times. Comm. Pappas informed those present that the Board's next meeting has been changed from December 1st to November 30th at 10:00 a.m.

Adjourn:

Comm. Pappas asked the Board if it wished to address any other business; there being none, a motion to adjourn was entertained.

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

The meeting adjourned at 1:03 p.m.

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date