

Regular Meeting of the  
**Hillsborough County Board of Commissioners**  
**November 25, 2015**  
Bouchard Building, Goffstown, NH  
**Minutes of the Public Session**  
(Not Official until Approved by the Board and signed by the Clerk.)

**Present:** Comm. Ziehm, Comm. Holden, Comm. Pappas, J. Hardy, D. Hogan, G. Fisher, D. Dionne, C. Kirby, M. Montminy, B. Moorehead, M. Castonguay, G. Wenger, and L. Stonner.

**CALL TO ORDER**

The meeting convened at 9:07 a.m.

**Pledge of Allegiance**

Those present joined in reciting the Pledge of Allegiance.

**ADMINISTRATIVE BUSINESS**

**Approval of Minutes**

**Motion:**

To approve the minutes of the Board of Commissioner's Regular Meeting held on November 10, 2015. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

**Supplemental Payroll**

**Motion:**

To approve Supplemental Payroll Registers on the following dates for the following amounts:

- November 5, 2015      \$ 4,597.03
- November 19, 2015      310.09
- November 20, 2015      212.12

for a total Supplemental Payroll of \$5,119.24, subject to review and audit. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

Attorney Hogan joined the meeting.

**Regular Payroll**

**Motion:**

To approve a Regular Payroll Register dated for November 19, 2015 for the amount of \$1,134,006.54, subject to review and audit. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

## **Accounts Payable**

### **Motion:**

To approve an Accounts Payable Register dated November 24, 2015 for the amount of \$3,544,602.46, subject to review and audit. Motion by Comm. Pappas, second by Comm. Ziehm. Motion carried.

## **Extradition Vouchers**

### **Motion:**

To approve extradition vouchers for the following amounts on the following dates, noting that they have been previously approved by the County Attorney:

- Sept. 22, 2015 \$160.70
- Sept. 23, 2015 218.09
- Sept. 28, 2015 229.56
- Oct. 7, 2015 114.79
- Oct. 13, 2015 66.42

The total of the Extradition Vouchers presented for approval is \$789.56. Motion to approve the Extradition Vouchers was made by Comm. Pappas and seconded by Comm. Ziehm. Motion carried.

Comm. Holden joined the meeting.

## **PUBLIC COMMENT ON AGENDA ITEMS**

There was no one from the Public who wished to comment on Agenda Items.

## **DEPARTMENT OF CORRECTIONS**

### **Census**

Supt. Dionne presented the Department of Correction's (DOC's) Census; he noted that as of November 17, 2015; the total in custody was 442; the Census included 360 men; 119 of the men had been sentenced and 241 were being held pre-trial. There were 82 women; 36 of the women had been sentenced and 46 were being held pre-trial. Supt. Dionne added that the facility was holding 20 female inmates from Rockingham County. He informed the Board that 147 individuals were diverted through the Mental Health Courts; 81 were from Manchester and 66 were from Nashua, and there were 11 in the community.

Supt. Dionne informed the Board that the number of female inmates from Rockingham County is down; it is related to a reduction in its female inmate population.

### **Overtime Impact Report**

Supt. Dionne noted that the Overtime Impact Report for the current Fiscal Year has been included in the Board's packet

## **SHERIFF'S DEPARTMENT**

Chief Deputy Fisher explained that the Sheriff's Department is presenting 4 bids for the sale of used vehicles, subject to Board approval; he explained that they will be sold to the highest bidder.

**Bid # SO-2016-03GF – 2008 Ford Van**

**Motion:**

To approve Bid # SO-2016-03GF for the sale of a 2008 Ford Van; the highest responsible bidder is Woody's Auto, Pelham, NH at the price of \$2,000. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Comm. Ziehm asked if the revenue was included in the budget. Mr. Wenger noted that these specific sales were not included and added that the revenue would go into Miscellaneous Revenue, which was budgeted at \$30,000.

**Bid # SO-2016-04GF – 2008 Ford Van**

**Motion:**

To approve Bid # SO-2016-04GF for the sale of a 2008 Ford Van; the highest responsible bidder is Woody's Auto, Pelham, NH at the price of \$2,000. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Moorehead and Mrs. Castonguay joined the meeting.

**Bid # SO-2016-05GF – 2008 Chevrolet Impala**

**Motion:**

To approve Bid # SO-2016-05GF for the sale of a 2008 Chevrolet Impala; the highest bidder is Wyman's Sales & Service at the price of \$800. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

**Bid # SO-2016-06GF – 2009 Crown Victoria Crown Victoria**

**Motion:**

To approve Bid # SO-2016-06GF for the sale of a 2009 Crown Victoria; the highest bidder is Wyman's Sales & Service at the price of \$1,000. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

**NURSING HOME**

**Census**

Mr. Moorehead noted that the Census at the Nursing Home for the period ending November 19, 2015 was 278; it included 212 Medicaid residents, 32 private pay residents and 34 Medicare residents.

**Bid # 07-2016 – Cable Television Provider**

Mr. Moorehead explained that Bid # 07-2016 is for a 3-year contract with Comcast for cable services at the Nursing Home.

**Motion:**

To approve Bid # 07-2016 for a 3-year contract with Comcast for cable services at the Nursing Home, noting that it is the lowest responsible bidder; the monthly cost for the first year is \$2,758 and the annual cost for the first year is \$33,096. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

## **Resident Christmas Gifts**

Mr. Moorehead requested that the County contribute \$8 toward the resident Christmas gift as it has done in previous years. He noted that the total cost would be \$2,280 for an estimated 285 residents. He added that the resident's fund is contributing \$5 toward the gift for a total of \$13.

### **Motion:**

To approve Mr. Moorehead's request to provide \$8 toward the resident's Christmas gifts; the total cost would be \$2,280 for an estimated 285 residents. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Moorehead noted that he received a letter from Mike Fleming of the NH Department of Health & Human Services dated November 16<sup>th</sup> that indicated that the Nursing Home is in full compliance with the regulations related to the September survey.

Comm. Ziehm recognized Attorney Hogan who indicated that he will speak later during Old/New Business.

## **OLD/NEW BUSINESS**

### **Request Re: NACO 2016 Legislative Conference Registration**

Comm. Holden offered the following motion:

### **Motion:**

To request payment of Comm. Holden's registration for the Legislative Conference to be held in February. Motion by Comm. Holden. Comm. Pappas seconded the motion subject to approval of payment of her registration for the same conference.

Comm. Holden noted that this year she has been appointed to NACo Membership Standing Committee, the Information and Technology Standing Committee, Programs & Services Standing Committee, and Rural Action Caucus and she serves of the Finance Committee and the Fiscal Policy & Pensions Subcommittee.

Comm. Pappas indicated that she has registered for the Legislative Conference and she also serves on several committees and is very active at NACo. She added that she is hopeful that the County can support the registrations with funds from the Education & Conference line. Comm. Pappas indicated that the cost would be \$490 each.

In response to a question from Comm. Holden, Mr. Wenger noted that there is nothing scheduled related to Education & Conference expenses at this time, but added that that could change. Comm. Holden noted that Comm. Pappas' registration was paid by the County the previous year and she was hoping that hers could be paid this year.

Comm. Ziehm noted that it is her belief that the one NACo Conference that she attended was not worth the expense and added that she could not support approval of the expense. Comm. Pappas noted that both she and Comm. Holden are very active in NACo, and added that she anticipates that both will attend the Conference.

Lacking support for her motion and noting that she cannot support payment of both registrations, Comm. Holden withdrew her motion.

### **Actuarial Services Agreement**

Mr. Wenger explained that Actuarial analysis of retirement benefits is required by the Auditors; he noted that the previous 2-year agreement with KMS Actuaries, LLC has expired. He polled the Board to see if it wished to move forward and approve the agreement with KMS Actuaries for another 2 years; the analysis is required by the auditors for the County to meet GASB 45 requirements. He added that the cost will be under \$5,000 and it will cover FY 2015 and FY 2016.

#### **Motion:**

To approve moving forward as a proponent of GASB 45 and continue the process with KMS Actuaries. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

### **Kennedy Hill Follow Up**

Mr. Wenger requested approval to post a sign on Kennedy Hill that would include: “No Alcohol,” “No Dumping,” and “No Trespassing from Dusk to Dawn.” He indicated that the County is working with Eversource regarding its damaged gate that it will be replace.

#### **Motion:**

To approve posting a sign on Kennedy Hill as described by Mr. Wenger. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

### **Meeting with Building Committee**

Mr. Wenger noted that he has spoken with Rep. Hinch, who is the Chairman of the Building Committee, relative to a meeting to discuss the County’s property. Rep. Hinch has suggested Friday, December 11<sup>th</sup> at 9:00 a.m. for a meeting to include the Building Committee, the Board, and the lowest bidder. The Commissioners indicated that each would be available for the meeting.

### **Drug Crisis – Follow Up**

Mr. Wenger informed the Board that he has had the opportunity to meet with the County Attorney, Legal Counsel, the Sheriff and Chief Deputy, the Superintendent and the DOC Head Nurse. He noted that they have met on 3 occasions and have had broad and comprehensive discussions about Drug Courts, and the drug crisis. He noted that the consensus is that while Drug Courts provide a good service, they are only a part of the approach to the drug crisis that the County and State are facing. He added that there is agreement that funding additional Drug Courts, from a County standpoint, may not be the highest and best use of County funds based on the County’s operations and responsibilities and the general feeling is that it would be more effective to reach the drug offenders earlier in the process. He requested the authority to continue forward, particularly with the Superintendent, in developing a program within the Department of Corrections that would be part of a positive process to address drug issues. He noted that it would be similar to the County’s former Drug Diversion program that was run by the Human Services Department.

Comm. Ziehm noted that she has heard that there is one death every day in New Hampshire that is related to drug abuse. She indicated that she had a good discussion with Judge Coburn and learned a great deal about drug issues and the Drug Courts.

Sheriff Hardy joined the meeting.

Supt. Dionne noted that following Mayor Gatsas' request earlier in the year when Hillsborough County was asked fund a Drug Court for the City of Manchester; discussion began relative to the drug issue. Meetings were held at the Mayor's Office in Manchester behind closed doors with the Mayor, Judges, Prosecutors, Defense Attorneys, Drug Addiction Professionals, treatment center personnel, and the Superintendent. At that time, the City of Manchester offered to put up \$250,000 for a Drug Court if the County would provide matching funds. He added that NH RSA 490-G:1, and RSA 490-G:2 indicate that the District Courts may establish one or more Drug Courts and noted that it is his belief that the State is responsible for any Drug Courts. He explained that the State currently pays for Mental Health and Veteran's Court but noted that the Drug Court is the only Court that the State is asking the Counties to pay for. He added that once the Drug Court's grants expire, it will cost the County approximately \$1,000,000 to fund them.

Supt. Dionne noted that he supports a 45-day or 60-day program for the early offenders while they are at the jail waiting for sentencing and before they become serious offenders and are sent to the Drug Court. He explained that there are two types of drug users:

- the first example is an individual who may have had chronic pain or surgery, was prescribed an opiate and then became addicted. When prescription drugs were no longer available, he/she turned to street drugs and then was arrested for a drug-related crime.
- the second type of individual is a habitual user who can only be helped if they decide they are going to stop using drugs before they die.

Supt. Dionne supports a 45 or 60 day program in the jail while individuals are serving their first sentence and before their life is ruined and they lose their home and possessions. He noted that in dealing with the State; it may initially fund programs, but there is always an effort to reduce the State budget; last year \$28,000,000 was taken out of drug and alcohol programs to balance the State budget. He added that \$28,000,000 could have been positively used to fund drug and alcohol facilities in the State.

Supt. Dionne requested Board approval to send out an RFP to provide a drug program for the DOC that is designed to meet the challenges in Hillsborough County. He indicated that there are programs in Sullivan and Belknap Counties, and they will share information relative to their RFP's. In response to a question from Comm. Ziehm, Supt. Dionne indicated that he would be looking for a consultant with experience in designing a program who would also serve as a grant writer. He added that the cost would be approximately \$20,000 to \$30,000 and the goal would be to have the cost covered by a Federal grant.

**Motion:**

To authorize Supt. Dionne's request to send out a Request for Proposal for consulting services to design a drug program. Motion by Comm. Pappas. Comm. Ziehm stepped down from the Chair to second the motion.

Supt. Dionne indicated that he would return to the Board with the final cost and information for its approval. Supt. Dionne reiterated that it would be important for the Consultant to have the ability to write grants that would cover the cost of said consultant. It was noted, for clarification purposes, that the intent is to go out with an RFP for the purpose of engaging an individual or entity who will define the program, which will then be presented to the Board; the intent, at this point, is to get the information.

County Attorney Hogan spoke about the severity of the drug issue and noted that while the Drug Courts have a purpose, it would be a positive step for the County to have a drug program that could reach the individuals earlier. Such a program should be more effective in addressing the drug issue by intercepting drug users habits early as well as reducing the number of deaths. He added that in his experience, most of the individuals that the County Attorney's office sees are likely to have a drug issue related to their crime. Attorney Hogan noted that when Sullivan County built its jail, it identified ten "soft beds" that were in an area dedicated to helping people

overcome their addiction. He noted that the goal is to offer help but one of the things to overcome is the perception that people don't want to go to the Valley Street Jail. Supt. Dionne noted that those individuals in Sullivan County were in a separate building.

Comm. Ziehm expressed her concern about the number of addicts. Discussion ensued about medications that can be prescribed to overcome the desire to take drugs, and how people re-offend in spite of those medications. Supt. Dionne added that people participating in Drug Court still die, but with cooperation with the County Attorney's office, and with a LADC (Licensed Drug Alcohol Counselor), the County would be able to work with individuals early on. Supt. Dionne added that there aren't enough programs for drug offenders and those programs are not typically covered by medical insurance.

Comm. Ziehm encouraged Supt. Dionne to share the information and concerns with the County's legislators so they would be able to make informed decisions at the State level.

Sheriff Hardy explained that he supports the Superintendent's proposal and noted that the national models are aimed at chronic offenders and habitual drug users; he noted that it is important for the model to look at first offenders and the ones that aren't serious offenders or criminals. He expressed his belief that it would be good for Hillsborough County to be able to intercept individuals at the beginning of their drug use and that it would be a positive step to offer a program for 45 or 60 days while the individuals are at the jail awaiting trial. The Sheriff also supported sharing information with the legislators. He noted that the proposed program would be very effective, and it would be cost effective as well.

Supt. Dionne indicated that while there are two Superior Courts in Hillsborough County, an individual that is arrested for drug violations in Nashua can go to the Drug Court affiliated with Hillsborough County South, but an individual arrested in Manchester is not eligible for that Drug Court.

Mr. Wenger asked Supt. Dionne if the Superintendents, Sheriffs or County Attorneys have been invited to attend meetings of the Legislative Committee in Concord that is addressing the drug issue. Supt. Dionne responded that none of them have been invited to attend or speak. Sheriff Hardy agreed that it is a State function to fund the drug programs and it is his belief that a County drug program to address individuals at an early point in their drug use is beneficial to Hillsborough County and the County will have control of how the funds are expended and how the program is developed.

Sheriff Hardy added that the programs at the Departments of Corrections in the other Counties are effective. He added that it is very promising that the former Hoitt Furniture building is being converted by a local developer for onsite long term and short term treatment for drug offenders.

Attorney Hogan noted that because the County's proposed drug program will be a new program, it will be important to get "buy-in" from the local defense counsels.

Mr. Moorehead indicated that he has learned from seminars that he has attended that the type of heroin on the market now is so pure and some of the substances used to cut the heroin make it so addictive that using it once causes an individual to be addicted. He added that bringing physicians that prescribe pain killers into the discussion might be beneficial.

Comm. Holden commented that it would be good to get incentive funds from the State again; the County used to receive about \$1,000,000. She favored starting the program at the jail and having Hillsborough County control the funds.

Lacking further discussion, Comm. Ziehm called for a vote regarding Supt. Dionne's request.

The motion carried to authorize Supt. Dionne's request to send out a Request for Proposal for consulting services to design a drug program for the Department of Corrections.

In response to a question from Comm. Ziehm, Mr. Wenger responded that he will be addressing County Policies.

Mr. Moorehead noted that he recently attended a meeting of the Long Term Care Subcommittee; the discussion included the per diem rates that will be effective January 1<sup>st</sup>. Discussion was also dedicated to a lump sum payment that he anticipates to be between \$150,000 and \$200,000 from the \$5,000,000 surplus that remained in the State's Medicaid Nursing Home line.

Mr. Wenger requested that the Board sign a revised Correctional Officer Graduation Certificate that includes the appropriate date.

Comm. Ziehm indicated that as a result of actions taken at the recent NHAC Convention by its leadership, she is considering sending a letter to address the procedures that were followed. She noted that while the process was changed by vote, the process was not followed. She added that her issue is that the proper process was not followed. Discussion ensued that relative to the process and whether the amendments to the By-Laws met the 15-day notice requirement.

In response to a question from Comm. Pappas, Attorney Kirby suggested that the Board may wish to consider what it wants to do with its relationship with the NH Association of Counties. She added that it is beneficial for all Counties to work together, however, if Hillsborough County's input is being disregarded, that is a serious issue and the Board may wish to consider if it wants to fund an organization that disregards its rights and input; the interests of Hillsborough County are a serious matter; Hillsborough County is the largest County in the State and should be given a little respect.

Comm. Pappas requested that the Board wait until the next meeting before sending a letter. Mr. Wenger noted that a concern is that the vote that was taken did not comply with the By-Laws as they were amended; it is his understanding that people who are not Department Heads voted at that meeting, and they had no right to vote. He added that he too questions the process, but his concern is related more to the investment that the County is making in this Association; Hillsborough County's influence in the Association was basically neutered with the most recent actions that were taken. The Board agreed to address a letter again at its next meeting.

Comm. Ziehm noted that had the County not already paid the NHAC dues for the year, she would not favor paying the dues. Mr. Moorehead noted that he asked if the Association has ever been audited and learned that it had not. Comm. Pappas congratulated Sheriff Hardy for being elected as an officer of the Association. Supt. Dionne noted that his only concern relates to the fact that by NH RSA, the Association certifies the graduates of the Correctional Officer Academy; in order to change that, there would need to be a change in the law.

### **NON-PUBLIC SESSION**

#### **Motion:**

To enter Non-Public Session consistent with RSA 91-A-3: II (b) relative to the hiring of employees. Motion by Comm. Pappas, second by Comm. Holden. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public Session at approximately 10:50 a.m.

The Board met with Mr. Wenger to discuss the hiring of an employee. No action was taken.

The Board moved out of Non-Public Session at 11:06 a.m.

**Motion:**

To come out of Non-Public Session. Motion by Comm. Holden, second by Comm. Pappas. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

**ADJOURN**

**Motion:**

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

The meeting adjourned at approximately 11:07 a.m.

*Approved on December 9, 2015*

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Comm. Toni Pappas, Clerk  
Hillsborough County Board of Commissioners

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Date