

Regular Meeting of the
Hillsborough County Board of Commissioners
November 30, 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. Hogan, D. Dionne, C. Kirby, M. Lencki, D. Reidy, G. Wenger and M. Castonguay.

1. Call to Order

Comm. Ziehm called the meeting to order 9:03 a.m.

2. Pledge to the Flag

P. Coughlin led the Pledge of Allegiance.

3. Administrative Business

Minutes

Comm. Ziehm directed the Board to approval of minutes.

Motion: Comm. Pappas moved to approve the following minutes of the May 2, 2011 Public Hearing subject to a request that the words in the second paragraph 2 on page 2 that reads: *“Comm Ziehm explained that the tax implications, as the budget now stands, represent a County Tax of \$2,738,129, or an increase of 6.2%”* be changed to read: *“Comm Ziehm explained the tax implications relative to the budget as it now stands; the County Tax of \$2,738,129 represents a 6.2% increase in the amount to be raised by taxes.”* Second by Comm. Holden. Motion carried

Motion: Comm. Holden moved to approve the minutes of Hillsborough County Executive Committee held on February 25, 2011. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: Comm. Holden moved to approve the following minutes of Hillsborough County Board of Commissioner’s Meetings:

- a Regular Meeting held on May 4, 2011,
- a Special Budget Meeting held on June 23, 2011,
- a Regular Meeting held on November 16, 2011.

Comm. Pappas 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 23, 2011 in the amount of \$1,387.05

➤ November 28, 2011 in the amount of \$236.74 for a total miscellaneous payroll of \$1,623.79 subject to review and audit. Comm. Holden seconded the motion. Motion carried.

Motion: Comm. Pappas moved to approve a regular Payroll Register dated November 23, 2011, in the amount of \$1,147,315.54 subject to review and audit. Comm. Holden seconded the motion. Motion carried.

Approval of Accounts Payable Registers

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

- November 23, 2011 in the amount of \$905,817.86
 - November 29, 2011 in the amount of \$81,218.04
- for a total Accounts Payable of \$987,035.90, subject to review and audit. Second by Comm. Pappas. Motion carried.

Bid Number: CIS-13-2012

Motion: To approve Bid No. CIS-13-2012 for a computer; the lowest responsible bidder is GovConnection, Inc., Merrimack, NH, in the amount of \$5,334.40. Motion by Comm. Pappas, second by Comm. Holden.

Mr. Wenger explained that this bid is for 8 computers that were appropriated in the budget; it is an annual purchase and this is a favorable price.

Motion carried.

Bid for the Sale of a Fleet Vehicle

Comm. Holden explained that this bid relates to Line 3510; the highest responsible bidder is Mahoney Truck & Auto Sales, Goffstown, NH, at a price of \$2,265.

Motion: To award the aforementioned bid for the sale of a fleet motor vehicle to Mahoney Truck & Auto Sales, the highest bidder, at a price of \$2,265. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

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; he informed the Board that as of November 22, 2011, the DOC Census included 527 in custody; the Census included 464 men of whom 118 had been sentenced and 346 that were being held pre-trial. There were 63 women of whom 16 had been sentenced and 47 that were being held pre-trial; additionally there were 13 in the community.

6. Nursing Home

Census

Mr. Lencki presented the Nursing Home Census; he reported that the Census as of November 24th was 276, which included 197 Medicaid residents, 49 Private Pay residents, 30 Medicare-Part A residents, 12 hospice residents and 17 ELU (Enhanced Living Unit) residents.

Bid #15-2012 Electric Rates

Mr. Lencki explained that Bid #15-2012 is for Electric Rates; he explained that natural gas is at its lowest point ever, and that it affects other utilities; he added that he has been negotiating the last couple weeks to secure the best rate; he added that the rate is .0755 for the Complex, Jail, and Nursing Home, but noted that the rate changes daily. Discussion ensued relative to locking in a favorable price and securing Board approval. The Board agreed to give Mr. Lencki the authority to lock in a favorable rate.

Motion: To provide Mr. Lencki the authority to lock in a favorable electric rate at a price not to exceed the current price; it will be confirmed at the next Board meeting that will be held on December 14th. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Survey Update

Mr. Lencki informed the Board that the Nursing Home received correspondence indicating that it is in full compliance for the Life Safety Recertification and the Health follow-up survey.

Old/New Business

BOC 2012 Calendar

The Board discussed dates for the 2012 Board of Commissioner meetings. The 2012 Meeting Schedule was adopted as proposed with the following changes: the March 7th meeting will be changed to March 8th, and the January and February meeting times will be changed from 9:00 to 10:00 a.m.

Northern New England Benefit Trust – Nomination Inquiry

Mr. Wenger referred the Board to a letter from the Northern New England Benefit Trust that defines the Trust and asks if the County wishes to nominate an individual to serve as an Employer Trustee. Discussion ensued. The Board did not make any nomination.

Antrim Wind Energy Project – Consulting Party

Mr. Wenger referred the Board to a letter from Antrim Wind Energy, LLC relative to a wind energy project in Antrim; the letter asks if the County wishes to become a consulting party to the development of this project. Comm. Holden indicated an interest; she will work with Mr. Wenger to draft a response.

Motion: To appoint Comm. Holden to serve on the Antrim Wind Energy, LLC wind energy project. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Federal Transportation 2012 Master Agreement

Mr. Wenger referred the Board to a letter relative to receiving a 5310 Purchase of Service Grant for Transportation Services in the western part of the County in the amount of \$35,000; the County will be working with the American Red Cross and Contoocook Valley Transportation Company. He added that

while it limited work on the part of the County, there is a FY12 Certificate of Assurances and the FY12 Master Agreement that have to be executed by the County and certified by Legal Counsel by December 9th.

Motion: To authorize the Chair to execute the Certifications and Assurances associated with the 53-10 Purchase of Service Grant (NH 65X001). Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Policies & Procedures – Follow-up

Discussion ensued relative to the Policies & Procedures. Comm. Ziehm suggested that a work session to review them may be in order. The Board agreed to address them following this meeting.

Comm. Holden thanked Mr. Wenger for including the insert from Meals on Wheels and added that Hillsborough County was not recognized as a supporter.

Mr. Wenger addressed the CBDG Grant that the County applied for in support of the project in Manchester; he added that it is his understanding that the County did receive the grant and will move to execute the agreement once it is received.

Mr. Wenger added that it is his understanding that the joint grant that the County applied for with Southern NH Planning Services relative to zoning was not approved.

Mr. Wenger addressed scheduling a conference call relative to Superintendent recruitment.

Mr. Wenger addressed the employee needs of the Business Office. He explained that the temporary person has secured employment elsewhere and requested the authority to fill a position with another temporary employee not to exceed 120 days.

Motion: To authorize the County Administrator to hire a temporary employee for a period not to exceed 120 days. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

11. Public Comment

There was no one present who wished to comment.

M. Castonguay informed those present that the next Executive Committee meeting is scheduled for Friday, December 16th at 9:00 a.m.

The Board confirmed that the Operations Group will be meeting the following Friday; it will discuss how grants are addressed across the County.

Comm. Holden added that she has information from Barbara Salvatore that projects the per person/per month cost for Nursing Home care by type of service for 1975 through 1984; it illustrates that Intermediate Nursing Facility care is just under \$16,000 per person/per month in costs. She added that Home and Community-based care for the elderly was between \$200 to \$400 per person/per month.

Comm. Ziehm asked if the County had ever discussed privatizing the County Jail. Discussion ensued.

Register Coughlin presented information regarding MERS Mortgage Electronic System; she added that a Senator from Tennessee has proposed a MERS 2 bill that would override any County or State law

resulting in a loss of revenue for the County in situations where there is an assignment, or similar situation should it be passed. Ms. Coughlin will provide further information.

10. Non-Public Session

Attorney Hogan requested an opportunity to meet with the Board in Non-Public Session relative to a personnel matter.

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

The Board moved into Non-Public Session at 9:56 a.m.

The Board met with Attorney Hogan relative to a personnel issue.

The Board moved out of Non-Public Session at 10:10 a.m.

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

Comm. Ziehm requested an opportunity to meet as a Board along with Mr. Wenger and Attorney Kirby.

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

The Board moved into Non-Public Session at 10:17 a.m.

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

The Board moved out of Non-Public Session at 11:10 a.m.

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

The Board agreed to recess the meeting and reconvene at 2:00 p.m.

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

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

Reconvene the Meeting

The meeting reconvened at 2:00 p.m.

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

The Board was joined by an invited group of individuals representing constituencies interested in the recruitment process for the new Superintendent at the Department of Corrections. Carl Webber was introduced as the facilitator of the discussion.

Mr. Webber explained that he represents Primex, a Public Risk Management Pool that the County belongs to; he added that one resource they provide is to help with the recruitment process. Those present introduced themselves. Attendees included G. Wenger, Hillsborough County Administrator; Susan Stearns, Director of Development for Greater Nashua Mental Health Center and facilitator for the Community Connections Mental Health Court Project; Comm. Carol Holden, District 3; Dave Mara, Manchester, NH Chief of Police; James O'Mara, Former Superintendent and current Amherst Town Administrator; Carol Kirby, Legal Counsel for Hillsborough County; Comm. Toni Pappas, District 1; James Hardy, County Sheriff; Comm. Sandra Ziehm, District 2; Dennis Hogan, County Attorney; Danielle Krause, Primex; and joining the meeting on the phone were Attorney David Horan, former Assistant County Attorney and member of the Defense Bar; the Honorable James Leary of the Nashua District Circuit Judge; and Thomas Noonan, Teamsters Agent representing the Hillsborough County Jail supervisors and past Manchester Police Commissioner.

Mr. Webber explained that he was asked to facilitate the recruitment and selection process which will culminate in the selection of the next Department of Corrections Superintendent. He reviewed the process, the purpose and the intended results and suggested that those who were present today try to identify the big picture issues. Big picture issues suggested by the attendees included:

- Budget
- Ability to sell the Budget
- Personnel Management
- Litigation/Risk Management
- Experience in the Field
- Reality of Corrections today and a changing environment
- Alternative approaches to traditional incarceration
- Expansion of community-based corrections
- Ability to leverage & promote Mental Health collaboration
- Managing older population
- Programming needs: assisting Attorneys along the way with Mental Health issues, substance abuse, and work release, addressing inmate needs, early release or other programs that meet their needs.
- Maintaining the current positive direction and momentum
- Collective bargaining
- Legislation-staying involved
- Employee Morale
- Gang dynamics within the facility
- Inmate suicide
- Language and culture of the inmates
- Ability to analyze crime trends and prevention needs
- Age/Condition of the physical plant
- Space issues
- Ability to motivate employees in a difficult environment
- Morale
- Ability to manage stress levels of employees
- Policies & Procedures need constant review, as well as updating and training
- Recruitment and retention
- Media Relations-inside and out
- Safety of inmates and staff
- Ability to deal with newer generation and personalities

- Managing vendor contracts
- Ability to effectively communicate with employees, elected officials, and the public
- Ability to stay afloat in a sea of regulations and compliance issues that the positions faces.
- Ability to maintain and foster relationships with Police, Courts, Prosecutors and Public Defenders, and to resolve issues as they arise

Mr. Webber asked the group to identify roadblocks to success for someone who assumes the position. The group identified the following potential roadblocks:

- Budget constraints
- Hillsborough County Delegation
- Personality conflicts/philosophical differences
- Standards set by the former Superintendent that will be difficult to follow
- Challenge to educate and market the operation successfully to Delegation
- Potential of erosion of support on the Commissioner level
- Having the ability to understand obligations and establish boundaries
- Long learning curve for new Superintendent; establishing leadership
- Broad-based cuts in funding outside County
- Staff issues can delay success of candidate
- Management style-internal and external relationships
- Lack of willingness to listen and learn
- Changing population of inmates
- Individual's job satisfaction
- Not being accepted as the appropriate candidate for the job
- Loss of sense of being a provider of services

Mr. Webber asked the group to identify the skills required for a candidate. The group identified the following potential skills:

- Working knowledge of DOC operations
- Element of diplomacy in terms of dealing with people
- Ability to let people down gently
- Intelligence and knowledge of prison systems
- Ability to interact with Police, Courts, Prosecutors and Public Defenders, and the criminal justice system
- Flexible, multi-focused
- Ability to make decisions
- Ability to collaborate outside the criminal justice system
- Ability to analyze problems and come up with solutions that may go outside the box
- Ability to assimilate information from oral or written sources
- Intelligence
- Respect, empathy and firmness
- Respect for the employees and the job they do
- Respect for the elected officials
- Knowledge of collective bargaining
- Possess a sense of humor
- Budgeting skills-management and oversight of payables, contracts, etc.
- Capable of dealing with Association Manuals
- Leadership
- Develop, execute, implement, and monitor the plans
- Project management skills
- Ability to foster confidence by delegation
- Ability to build confidence in other people
- Be a mentor

- Possess charisma
- Provides a satisfying, and rewarding work environment for all employees
- Exhibit good courtroom demeanor
- Be trustworthy in all aspects
- Have the courage to say you don't know, but say you will get back to them.

Behavioral Styles/attributes for the new candidate that were identified include that the candidate:

- Lead by example
- Be visible in all aspects
- Be collaborative
- Be patient
- Have the ability to deal with stress
- Be law abiding
- Be honest, with integrity
- Be understanding and compassionate
- Be outgoing and approachable
- Needs to know local translators
- Have cultural sensitivity
- Is always on call; nothing inside or outside the facility should effect the credibility of one's job
- Possess a respect for the position
- Be a well-rounded person that can handle all aspects of life

Mr. Webber asked the group if there were other things to consider; input included that the candidate should be:

- A person who is invested and really wants to be in New Hampshire
- A person who commits to reasonable tenure
- A person who is looking to carry forward the positive changes, initiatives, relationships and move forward with what needs to be changed so that progress and evolution is continuous

Mr. Webber observed that today's process will provide guidance for the Commissioners as they move through the selection process and address the issues that have been raised. Discussion ensued relative to the salary range. In response to a question from Judge Leary relative to whether the search will include a nation-wide search, Mr. Wenger responded that County Policy requires that positions be posted internally for a period of time for approximately ten days; if there are no applicants that fill the requirements, then it will be posted generally and the Board will determine how it will be posted; Mr. O'Mara added that union contracts require that all management position be posted. Discussion ensued relative to how the Policies and Procedures affect and bind the process.

Mr. O'Mara offered the perspective on the staff at the Jail currently; he noted that 173 people enter the facility every day, and they have no idea what is going on; they don't know who the leader is; there is an Interim Superintendent in place, and people are very reluctant in organizational psychology to get behind a person who may not fill the position permanently. He added that in such a situation, factions will start to develop; there will be political in-fighting, and while this is going on, there is an interim person who is being evaluated without the support of the staff; he added that the person who takes the job cannot succeed unless everyone is moving in the same direction.

Mr. O'Mara observed that it the County is coming into the time for budget preparation and it would be difficult for one person to craft an entire budget and have a second person be placed in a position of implementing a budget they don't believe in, or that the person be required to restructure the department somewhere in the middle of an already contentious process. He added that it is important to be thorough but noted the importance of finalizing the process in a timely manner.

Following discussion relative to the Job Description and posting the position, the Board took the following action:

Motion: To accept the Job Description. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To post the position of Superintendent internally. Motion by Comm. Pappas, second by Comm. Holden. Motion carried

Mr. Webber offered his thanks to everyone who participated in today's process, and for allowing Primex be a part of the process. Comm. Ziehm thanked everyone who participated in the process for their time and input.

The Board held a moment of silence in honor of the passing of 2 former employees, Don Parnell and Nancy Buckman.

11. Adjourn

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

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

The meeting adjourned at 3:30 p.m.

Approved on 2/8/2012

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

Date