

Regular Meeting of the
Hillsborough County Board of Commissioners
December 3, 2007
Bouchard Building, Goffstown, NH

Minutes of the Public and Non- Public Session-Amended
(Not Official Until Approved by the Board and signed by the Clerk.)

Present: Comm. T. Pappas, Comm. C. Holden, Comm. M. Clemons, L. Movsesian, M. Wageling, E. Robinson, G. Wenger, J. O'Mara, B. Moorehead, M. Rusch, C. Kirby, and L. Stonner.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 3:43 p.m. Commissioner Holden led those present in the Pledge to the Flag.

2. Minutes

Mr. Wenger informed the Board that due to a technical problem, the minutes the Board received prior to the meeting were incomplete. He noted that the document provided at the meeting was a new complete version of the minutes for their consideration. He suggested that the Board might wish to wait and consider the minutes at the next meeting after they have had the opportunity to review the document. The Board deferred approval of the minutes until the next Board meeting.

3. Business Office

Approval of Payroll Register

Motion: To approve the Payroll Register dated 11/29/2007 in the amount of \$1,143,340.31, subject to review and audit. By Comm. Holden, second by Comm. Clemons. Motion carried.

Approval of Accounts Payable Register

Motion: To approve the Accounts Payable Register dated 12/03/2007 in the amount of \$362,299.30 subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Telephone Poll

Motion: To approve the Telephone Poll conducted on November 28, 2007 to authorize the Superintendent to accept the transfer of a male inmate from Merrimack County Department of Corrections, noting the motion passed unanimously. By Comm. Holden, second by Comm. Clemons. Motion carried.

Bid # CIS 9-2008 – Computer Hardware

Motion: To approve Bid # CIS 9-2008 for Computer Hardware needs to CDW-G, Inc. of Vernon Hills, IL, for a total of \$42,099, noting that it is the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden. Motion carried.

4. Department of Corrections

Commissioner Pappas noted that Mr. O'Mara was not present at this time and referred the Board to the Census located in their individual packets. She also informed the Board that the Department of Corrections has a bid for consideration.

Bid # FY08-72 ~ 118 Square Yards of Carpeting, installed per Specs.

Motion: To approve Bid # FY08-72 for 118 Square Yards of Carpeting, installed per Specifications to Dean's Carpet, 159 Frontage Road, Manchester, NH, at a cost of \$2,055, noting that it is the lowest responsible bidder. By Comm. Clemons, second by Comm. Holden. Motion carried.

5. Nursing Home

Mr. Moorehead was recognized. He presented the Nursing Home Census, noting that as of November 29, the Census was 270, which included 210 Medicaid residents, 39 private pay residents, and 21 Medicare Part A residents. He noted that the Census has dipped slightly, which is normal for this time of year because voluntary surgeries are postponed during holiday periods; however, he indicated that with the current winter weather conditions, it is common for the Census to increase due to falls and broken bones.

Request for Funds for Employee Gift Cards

Mr. Moorehead requested that the Board consider approving Gift Cards for staff holiday gifts, noting that it should be charged to the County R & R fund. Mr. Wenger informed the Board that it would be charged to the Board of Commissioners Recruitment and Retention account (#7175), noting that this is a budgeted item. Comm. Holden inquired about the amount of the gift, to which Mr. Moorehead responded that he is requesting \$25 Gas Cards for 400 employees, resulting in a cost of \$10,000. He noted that last year the gift was \$20, resulting in a cost of approximately \$8,000.

Motion: To authorize the Nursing Home Administrator to fund the employee holiday Gifts Cards, as presented. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Wenger noted that the funds for this purchase are generated through the vending machines located at the facility and are budgeted as revenue with the associated expense in the Commissioners Recruitment and Retention line. He explained that this procedure was implemented several years prior following consultation with the County's auditors.

Bid # 13-2008 – Speech/Language Therapy Services.

Mr. Moorehead presented Bid # 13-2008 for Speech Therapy Services, noting there is one bidder, Virjean Kandle of Hooksett, NH, who is the current provider. The bid is \$70 per hour, with a budgeted cost of \$33,500. He noted that the Nursing Home has a Speech Therapist that is budgeted under their payroll at \$1, and because of the difficulty in recruiting a Speech Therapist, they have been forced to go with an outside source. Mr. Moorehead noted that if they were able to recruit a Speech Therapist, they would use Virjean Kandle only to cover the time off of staff persons. He recommended Virjean Kandle as the most responsible bidder, and the only bidder.

Motion: To approve Bid # 13-2008 for Speech/Language Services, for a two-year contract to Virjean C. Kandle, of Hooksett, NH, at a cost of \$70 per hour, noting that she is the lowest responsible bidder, and the only bidder. By Comm. Holden, second by Comm. Clemons. Motion carried.

Bid # 14-2008 – Vinyl Examination Gloves

Mr. Moorehead presented Bid # 14-2008 for Vinyl Examination Gloves, recommending the bid be awarded to Central Paper Products at a cost of \$2.13 a box, with a total case price of \$21.33, noting that the estimated annual cost for Exam Gloves is approximately \$37,154 a year, subject to variations in the Census. He informed the Board that the Line item amount of \$269,312 is for all Nursing Home medical/surgical supplies

Motion: To approve Bid # 14-2008 for Vinyl Examination Gloves for the Nursing Home to Central Paper Products, Manchester, NH, at a box price of \$2.13, and a case price of \$21.33, noting that it is the lowest responsible bidder and supplier. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. O'Mara joined the meeting at this time. Comm. Pappas explained to Mr. O'Mara that his bid for carpeting had been approved earlier in the meeting prior to his arrival. Mr. O'Mara mentioned that he did have a couple of items to address under Old/New business.

7. Public Comments

No members of the public were present at the time.

Delegation

Marcia Rusch informed the Board that the next Executive Committee meeting would be held on December 21 at 10:00 a.m. in conjunction with the Christmas Party, which will follow. M. Rusch requested that people let her know what they are bringing for food, or in lieu of a food item, a financial contribution would be welcome.

8. Old/New Business

Extended Medical coverage

Comm. Clemons indicated that he would like to continue the discussion of extended medical coverage for employees' dependants aged 19-25, which was discussed at the last meeting. He referred to the two options the Board must consider - to approve continuing, or not approve continuing the extended coverage. Comm. Pappas added that she had thought about it as well. Comm. Holden indicated that she understood that the Board would get more information about the cost but that her position had not changed. A discussion followed regarding the difficulty in determining the cost associated with the extended coverage; it was noted that the cost of a family plan includes qualified family members no matter how large the family.

Comm. Clemons explained that as he has considered the issue; he understands that the Board can legally deny extension of coverage, but he is not sure that they should. He stated his belief that the intent of the law is to cover everyone in this category, and just because the Legislature did not think of pools, he does not believe the Board should take advantage of it. Comm. Holden noted that she is of the opposite belief and is not sure of the Legislature's intent; therefore, she feels that the Board should read the Legislative minutes from that committee's House session hearing to determine if there was any discussion of the reasons and their intent. Comm. Holden added that she has concerns about passing the costs on to the taxpayer, and noted that the bill was made for insurance companies, and Primex is not an insurance company. Comm. Holden indicated that she would like to gather some information about what the Legislative intent was, rather than relying on what each Commissioner might think. Mr. Wenger suggested there be some discussion during Non-Public session because there are some negotiating issues involved. Comm. Pappas inquired if anyone present could shed any light on the issue. Rep. Movsesian indicated she cannot provide the exact minutes, she has not looked at them, but she could speak to Legislative intent, noting that it was just as Comm. Clemons said; it was not to provide a loophole for anyone. She reported that they had listened to the testimony of Michele's mother when she came to talk about the decision her daughter was faced with: to stay in school so that her cancer coverage would be provided. Rep. Movsesian expressed her worry about problems if we should not extend that benefit to County employees, and stated that she believes the plan is there for a family, and if one child happens to be beyond (age) 24, or whatever the cutoff is, we should not be cutting them off just because they happen to be sick and are in school. Rep. Movsesian expressed her belief that the Legislature's intent is to cover the very people we are discussing. Comm. Pappas asked if it was a bi-partisan effort, to which Rep. Movsesian replied, "It was." Comm. Pappas asked if the bill was sponsored "by

both sides of the aisle,” to which Rep. Movsesian replied that she did not have that information, but she recalled that it was. Comm. Holden asked if Rep. Movsesian knew the bill number. Rep. Movsesian noted that she believes it is HB 790. Comm. Pappas noted that she believed it was Rep. Will Infantine who sponsored the Bill. Comm. Holden noted that they could look it up and see if it was a roll call vote, or if it was just passed by a voice vote. The Board will discuss the issue in Non-Public session and gather more information prior to making a decision. Mr. Clemons asked if the Board could get that information and make a decision on the 20th. The Board agreed to address the issue at the December 20 meeting.

Mr. O’Mara requested the same Gas Gift Card for employees at the Department of Corrections (as that of the Nursing Home employees) for \$25. It was noted that as with the Nursing Home discussed above, the funds requested are generated at the DOC, budgeted as revenue and included in the Commissioners expense line.

Motion: To authorize the Superintendent to fund the employee holiday Gifts Cards for the Department of Correction. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. O’Mara informed the Board that the DOC lost heat for four hours Saturday night while the inmates were sleeping due to a broken coupling that has been repaired, noting that the Maintenance staff did a great job.

Mr. O’Mara reported that all 19 inmates who were part of the Thanksgiving release program came back on time, and they all passed the drug and urinalysis testing. Mr. O’Mara was happy to report that the program was successful once again.

Comm. Holden informed the Board that she had received a report of disturbances to the county’s fields including ditches being dug to create mounds of earth over which vehicles were driven. She noted that it was her understanding that when the County staff arrived to repair the damage it had already been leveled. She thanked the County staff for its response.

Comm. Holden noted that the Board needed to address the evaluations of the Administrators at the next meeting.

Comm. Holden announced that the Pandemic group would meet on December 14. The group has taken Comm. Holden’s County government presentation and added it to their website. She also noted that the Master Plan group is meeting on Friday, December 14 at 8:00 a.m.

Comm. Holden will be attending the NACo Board of Directors meeting in a southern state.

Comm. Holden thanked E. Robinson for updating the Board by providing an update on the Temple Street building issues.

Comm. Holden informed the Board that “Right to Know” legislation has been filed, noting that the LSR # is 082026.0. Mr. O’Mara inquired about the legislation. Comm. Holden replied that it clarifies the manner in which the Right To Know law applies to how government records are kept in electronic form, and electronic communication used to transact government business. Discussion ensued about how different communities are affected. Comm. Holden noted that this Board communicates through Mr. Wenger, and stated that any communication outside of meetings should not happen. Comm. Clemons noted that it is a real problem on some boards, and hopes that the bill will clarify the issues.

Mr. Moorehead informed the Board that the Nursing Home is currently under contract with Omnicare, which provides drug and pharmaceutical consulting services. The contract expires 1/31/08; it has been extended for 18 months beyond the original contract term. He noted that Omnicare has acquired Accumed. Omnicare can provide the Accumed software to clients who contract with Omnicare pharmacy for at least three years, and will provide the software at a very competitive rate for those clients. He noted that this particular software is superior to what

the Nursing Home currently has with Quick Care. Mr. Moorehead has discussed the contract with C. Kirby. Both services need to be bid separately; the bids can then be compared and a determination can be made whether to go with Accumed or not. He noted that the cost of Accumed's software could be similar to Quick Care's cost, and feels it is worthwhile to look at this software. Mr. Moorehead requested the authority to pursue the bid. The Board agreed that it makes sense to gather the information.

Comm. Clemons reported that he attended the last Delegation meeting. The agenda included approval of the union contract with the Nursing Home. He noted that when he first arrived, they were two members short of a quorum, but after several phone calls, the quorum was met in about 30 minutes. Comm. Clemons indicated that there were eloquent speakers on both sides of the issue, and the voting result was approximately 80%/20% in favor of approving the contract.

G. Wenger informed the Board that the signature version of the contract is in circulation. He indicated that if the signed agreement were received in sufficient time the Business Office would work to have it implemented by the next payroll, December 13th. Mr. Wenger asked the Board how they would like to proceed. All Commissioners indicated they would come in to sign the contract as soon as it has been signed by the Union representatives.

Mr. Wenger requested a follow-up discussion regarding Accumed, and the bidding for that. He requested that any request for proposals that is to be issued be done in conjunction with the CIS department, asking that the department be brought into the process early. He noted that although Mr. Moorehead suggested that the software could be provided if a three-year agreement is reached, there are frequently back-end costs to operate the software, which can be a significant cost factor for the CIS department. Mr. Moorehead agreed to provide the CIS department with the information. Comm. Holden suggested that they might go through the U.S. Communities program; Mr. Wenger indicated he was not sure it would apply in this situation.

Mr. Wenger noted that the Board has received the Petitioner's memorandum regarding the skilled care case that is in the Supreme Court.

Comm. Pappas informed the Board of the recent HB 02 Committee meeting, where discussion involved philosophical issues.

E. Robinson reported there have been a numbers of filings. She has been meeting with Mr. Dunn. The Commissioners' Council has agreed to hire a consultant, Brian Gottlieb, who will do demographic analysis regarding HB 02, and what we would see relative to population growth, cost growth, and other services where the County would be picking up 100% of the cost under HB 02. She noted that his analysis is for all counties as a whole. Ms. Robinson has done an analysis of the individual counties, noting that the change will affect Hillsborough County significantly. Projections for 2011 would include a seven million increase over the status quo and ten million for 2013. She indicated that ratios and credits would affect Hillsborough County significantly.

Comm. Holden noted that the next big issue is Long Term Care.

6. County Attorney

Personnel

The County Attorney requested a Non-Public Session under RSA 91-A:3 II (a) personnel.

Non-Public Session

Motion: To go into Non-Public session with the M. Wageling, County Attorney, under RSA 91-A:3 II (a) to discuss personnel, and with B. Moorehead and J. O'Mara under RSA 91-A:3 II (e) negotiations. By Comm.

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

The Board moved into Non-Public session at 4:23 p.m.

The Board met with the County Attorney who presented the appointment of Kenneth L. Perkes, Esq. as an Assistant County Attorney.

The Board met with Mr. O'Mara, Mr. Moorehead, and Mr. Wenger to discuss parameters for upcoming collective bargaining negotiations.

The Board returned to public session at 5:35 p.m.

Motion: To return to public session. By Comm. Clemons, second by comm. Holden. Holden-yes, Clemons-yes, Pappas-yes. Motion carried.

Motion: To approve the appointment of Assistant County Attorney Kenneth L. Perkes, on the recommendation of County Attorney, Marguerite Wageling, noting that the Attorney General has approved the appointment. By Comm. Holden, second by Comm. Clemons. Motion carried.

9. Adjourn

There being no further business for the Board's consideration at this time, a motion to adjourn was accepted.

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

The meeting adjourned at 5:37 p.m.

(SIGNED 12/20/07)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date