

Regular Meeting of the
Hillsborough County Board of Commissioners
December 12, 2014
Hillsborough County Nursing Home
Goffstown, NH
Minutes of the Public Session
(Not Official until Approved by the Board and signed by the Clerk.)

Present: Comm. Pappas, Comm. Ziehm, D. Dionne, C. Kirby, B. Moorehead, G. Wenger, M. Castonguay, and L. Stonner.

1. Call to Order

Comm. Pappas called the meeting to order at 9:01 a.m. Mr. Moorehead led the Pledge of Allegiance.

Comm. Pappas recognized Supt. Dionne, noting that the Board would address his agenda items at the beginning of the meeting as he needed to leave to go to Concord.

2. Department of Corrections

Census

Supt. Dionne presented the Department of Correction's Census. He noted as of December 2, 2014, the total in-house was 448 and there were 19 in the community for a total custody of 467; he explained that there were 366 men including 127 that had been sentenced and 239 that were being held pre-trial; there were 101 women; 52 of the women had been sentenced and 49 that were being held pre-trial. He informed the Board that there were 141 individuals who were diverted through the Mental Health Courts; 70 were from Manchester and 71 from Nashua. He added that the DOC was holding 39 female inmates from Rockingham County

Overtime Impact Report

The Overtime Impact Report was included in the Board's packet.

Bid # FY15-95 – Fire Alarm Enunciator Panel

Motion: To approve Bid # FY15-95 for a Fire Alarm Enunciator Panel for the Department of Corrections, and to award the bid to Tri-State Fire Protection, Hudson, NH noting that it is the lowest responsible bidder meeting the specifications at a price of \$25,875 and it is the current provider of the alarm system inspection contract. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Out-of-State Travel Request

Supt. Dionne explained that his request for Out of State travel covers the cost of a professional training seminar that will allow him to maintain his certification as a Certified Litigation Specialist.

Motion: To approve Supt. Dionne's out of state travel request that will allow him to attend a professional training seminar in accordance with the existing County policy. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried.

Comm. Holden joined the meeting.

3. Administrative Business

Transfer # FY2015-02 – Department of Corrections

Motion: To approve Transfer # FY2015-02 for the Department of Corrections and to transfer the amount of \$200,000 from Salaries/Wages, line 4230-7010, and then to transfer a like amount to Overtime Wages, line 4230-7011. Motion by Comm. Ziehm, second by Comm. Pappas. Motion carried

Minutes

Motion: To approve the minutes of the Board of Commissioner's meeting held on November 26, 2014. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Payroll Registers

Motion: To approve Miscellaneous Payrolls in the following amounts on the following dates:

- December 4, 2014 in the amount of \$ 166.15
- December 5, 2014 in the amount of \$ 722.30
- December 10, 2014 in the amount of \$2,280.00

The total Miscellaneous Payroll is \$3,168.45, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

Motion: To approve a Regular Payroll dated December 4, 2014 in the amount of \$1,180,258.65, subject to review and audit. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Accounts Payable Register

Motion: To approve an Accounts Payable Registers dated December 11, 2014 in the amount of \$347,194.97. Motion by Comm. Holden, second by Comm. Ziehm.

The Scrivener noted that there were 2 Account Payable Registers. Comm. Holden withdrew her motion; Comm. Ziehm withdrew her second and Comm. Holden offered a new motion.

Motion: To approve Accounts Payable Registers in the following amounts on the following dates:

- December 4, 2014 in the amount of \$ 5,797,426.60
- December 11, 2014 in the amount of \$347,194.97

The total Accounts Payable is \$6,144,621.57, subject to review and audit. Motion by Comm. Holden, second by Comm. Ziehm. Motion carried.

CIS Bid # 10-2015 – County Attorney Management Software

Motion: To approve CIS Bid # 10-2015 for County Attorney Management Software; the lowest responsible bidder meeting the specifications is Karpel Computer Systems, Inc. at a price of \$137,385, noting that this bid is for the County Attorney's Office Case Management Solution including Prosecutor by Karpel and it will be hosted by Karpel. Motion by Comm. Holden, second by Comm. Ziehm.

Mr. Wenger added that the aforementioned bid includes a request to waive competitive bidding consistent with RSA 28:8-e, V, further noting that the attached memorandum explains the justification for that request; he added that the State's other 9 Counties are either using this software or are in the process of implementing it. The Karpel products will provide a centralized system for record keeping, data processing and interconnectivity between the County Attorney's offices and the Courts. He added that the CIS Department has been working with the County's office for

several years to reach this point, and noted that it is budgeted in the current year and will remove the challenge of getting another system to work with the other Counties as well as allow the County to tie in with the other entities.

Mr. Wenger requested that the Board amend its motion and to make the award conditioned on the negotiations and approval of the final contract language for the Prosecutor Software and having it hosted by Karpel; he added that Legal Counsel has reviewed the contract and there are minor issues to be addressed. He noted that at this point, he is requesting conditional approval based on bringing the final contract language back to the Board.

Comm. Holden recommended conditional approval of the bid consistent with waiving bidding requirements and with giving conditional approval as requested by Mr. Wenger. Motion carried to conditionally approve the bid.

CIS Bid # 9-2015 – FY2015 Microsoft Office Purchase

Motion: To approve CIS Bid # 9-2015 for FY2015 Microsoft Office Software Purchase and to award the bid to Insight Public Sector, Tempe, AZ at the price of \$11,789.64, noting that it is the lowest responsible bidder meeting the specifications. Motion by Comm. Ziehm, second by Comm. Holden. Motion carried.

Discussion ensued relative to Fairpoint's strike and how it has affected the County. Mr. Wenger noted that the strike has delayed getting work done at the Court House on Chestnut Street. He added that the County has filed a complaint with the PUC.

4. Public Comment on Agenda Items

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

5. Nursing Home

Census

Mr. Moorhead presented the Nursing Home Census. He indicated that the Census as of December 4, 2014 was 272; it included 208 Medicaid residents, 35 Private Pay residents and 29 Medicare residents. He added that the census was down this week due to discharges to the home for the Holiday, and a large number of expirations the previous week. He noted that the census will increase; today it is at 279 with 37 in the skilled unit, and there are 8 individuals waiting to be admitted.

November Revenue

Mr. Moorehead presented the unaudited October Revenue. He explained that the budgeted Revenue for Room & Board and ancillaries for August was \$1,930,454 while the actual was \$1,893,665, which resulted in a negative variance for the month of \$36,789. He added that MQIP was received in the beginning of October; the budget for MQIP for that quarter was \$800,000 and it came in at \$831,902 for a positive variance of \$31,902. Mr. Moorehead commented that the numbers for the month are down slightly because of the sequestration, which carries over from about 1 year to 2 years ago; additionally, November is a 30-day month and the average daily Revenue is about \$60,000 a day.

Year-to-Date Revenue

Mr. Moorehead presented the unaudited Year-to-Date Revenue; he informed the Board that the budgeted Revenue for Year-to-Date is \$9,652,270 while the actual is \$9,752,481, which resulted in a positive Revenue variance of

\$100,211. He added that a positive MQIP variance of \$31,000 equates to a total year to date variance of \$132,113. He further added that ProShare is not included; it does not come in until June.

Discussion ensued about the Nursing Home budget being very tight and how a lower census could affect the Revenue. Mr. Moorehead informed the Board that they have heard rumors that Elliot Hospital may open a Rehab Medical Unit and noted that is a concern; he added that if they do open the unit, it could have a bearing on the Nursing Home because it receives approximately 45% of its referrals from Elliot.

6. Old/New Business

Mr. Wenger informed the Board that the County continues to receive emails from Wells Fargo Home Mortgage; they are offering to donate a property to the County; it is located at 359 Keene Road in Antrim; the property would come with a \$13,000 cash contribution. He added that they donate properties to Cities and Non-Profits that provide sustainable homeownership or rental opportunities to low or moderate income families. He added that the County has never been actively involved in such a situation. Following discussion, the Board agreed that it was not interested in receiving the property and assuming the obligations that go with it.

The Board discussed its next meeting date and agreed to change the meeting from December 24 to Tuesday, December 23 at 9:00 a.m.

Mr. Wenger asked if the Board had interest in hosting the next NH Association of Counties' meeting. The Board agreed to host the meeting; it is scheduled for Friday, January 9th. He explained that he would like to speak with Mr. Dionne and Mr. Moorehead to coordinate a lunch for that meeting. He explained that the Commissioner's Council meeting will take place after the NHAC meeting and noted that they would like to invite all of the 9 new Commissioners.

Mr. Wenger asked to meet with the Board in Non Public Session consistent with RSA 91-A:2 I (b) relative to negotiations.

Mr. Wenger informed the Board that it has received a request from the Chemical Workers to commence negotiations for a successor agreement and is anticipating a similar request from the Sheriff's group; that would place the Board in negotiations with 4 groups and additionally, the Teamsters should also be coming forward for negotiations soon. Discussion ensued relative to which Commissioner would attend the individual negotiations.

Mr. Wenger added that the County has received a Petition of Certification challenging the existing Representatives; a petition has been filed with the PLRB by the National Corrections' Employee's Union looking to displace the AFSCME group at the Department of Corrections.

Comm. Pappas informed those present that there will be an appreciation and thank you celebration for Attorney LaFrance at the Puritan Backroom on Wednesday, December 17th at 5:30 p.m. The Commissioners all plan to attend, therefore it will be posted.

Comm. Ziehm addressed her concerns about Chairmanship of the Board of Commissioners. She noted that from her perspective, unity of purpose and teamwork are critical for the Commissioners as well as having the ability to speak as one when representing the Board. Comm. Holden offered that consideration should be given to rotating the Chair every 2 years, and noted that she would like an opportunity to serve. Comm. Pappas noted that it is not necessary to have a Vice-Chair, but that the Board it is required to have both a Chair and Clerk.

At the request of Comm. Ziehm, the Board discussed the reorganization plan for the Nursing Home previously approved by the Board. She explained that she realized there were things that she did not understand from that meeting and there were assumptions that after considering the request further, she wished to go on record as not

supporting the plan. Comm. Pappas noted that the Board was sent a copy of Mr. Moorehead's plan on November 17th and it discussed the plan. Comm. Holden added that it is helpful to have the information in advance and that it would also be helpful to have a one-page summary to refer to during the meeting.

Comm. Ziehm added that it is her belief that salary increases that are not negotiated by the union should be presented initially for discussion and not be voted on until the following Board meeting. She noted that she also believed that any pay increase in the form of a temporary stipend related to an increased workload as a result of loss of personnel would be discontinued when the need ended.

Comm. Ziehm commented that the current Board policy during Non-Public sessions has been to ask the County Administrator to sit in on some Non-Public sessions, but not others; she would like to change the policy so that the Administrator sits in on all Non-Public sessions unless he is specifically asked not to participate.

Further discussion ensued relative to the Nursing Home reorganization. Mr. Moorehead noted that the reorganization saves over \$47,000 and added that he provided 3 weeks' notice, sent out the information and answered a question from Comm. Ziehm. He remarked that it was his belief that rescinding the decision would be a mistake.

The Board agreed unanimously to change the procedure so that any future special increases or reorganizations would be presented to the Board at one meeting and not moved to a vote until the next meeting.

Comm. Ziehm indicated that she wished to go on record with a motion to rescind the proposed Nursing Home reorganization that Mr. Moorehead presented to the Board at its last meeting. Discussion ensued relative to the grade level increase and having 2 individuals that do the work of 3 as well as the positions and job descriptions. Comm. Ziehm expressed her concern about 2 people doing the job of 3. Mr. Moorehead agreed to provide job descriptions for Comm. Ziehm.

Motion: To rescind the motion "to approve a proposal from the Nursing Home dated November 17, 2014." Motion by Comm. Ziehm. The motion failed for lack of a second.

Mr. Wenger explained that there was an article in the previous day's newspaper that noted that the Supreme Court reached a decision in the case of the Firefighters vs. State of New Hampshire with respect to retirement; they determined that the Legislature did not violate the State or Federal Constitution, thus it will not be necessary for the County to reimburse its employees for the additional 2% that was taken out of their pay.

The Executive Committee is scheduled for Friday, December 19th. Mr. Wenger noted that he will be unable to attend.

8. Non-Public Session

Motion: To meet with the Board in Non Public Session consistent with RSA 91-A:2 I (b) to consult with Counsel, and to meet consistent with RSA 91-A:3 (e) relative to negotiations. Motion by Comm. Holden, second by Comm. Ziehm. Ziehm-yes, Holden-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public Session at approximately 10:00 a.m.

The Board met with Mr. Wenger, Mr. Moorehead and Attorney Kirby.

A discussion followed regarding collective bargaining issues and impending negotiations. The Board discussed a pending legal matter with Counsel and steps to bring closure to the issues. No action was taken by the Board.

The Board moved out of Non-Public Session at 10:55 a.m.

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

9. Adjourn

Lacking further business, Comm. Pappas entertained a motion to adjourn.

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

The meeting adjourned at approximately 10:55 a.m.

Approved 12/23/2014

Comm. Sandra Ziehm, Clerk
Hillsborough County Board of Commissioners

Date