

Regular Meeting of the
Hillsborough County Board of Commissioners
December 14, 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, B. Moorehead, G. Wenger and M. Castonguay.

1. Call to Order

Comm. Ziehm called the meeting to order 9:00 a.m.

2. Pledge to the Flag

P. Coughlin led the Pledge of Allegiance.

3. Administrative Business

Approval of Payroll and Accounts Payable Registers

Motion: Comm. Pappas moved to approve miscellaneous Payroll Registers for the following dates and amounts:

- December 6, 2011 in the amount of \$6,309.12
- December 2, 2011 in the amount of \$6,512.39
- December 8, 2011 in the amount of \$2,316.48
- December 9, 2011 in the amount of \$1,124.39
- December 12, 2011 in the amount of \$918.14

for a total miscellaneous payroll of \$17,180.52 subject to review and audit. Second by Comm. Holden. Motion carried.

Motion: To approve a regular Payroll Register dated December 8, 2011, in the amount of \$1,182,945.03 subject to review and audit. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Approval of Accounts Payable Registers

Motion: To approve Accounts Payable Registers for December 13, 2011 in the amount of \$5,050,397.50, subject to review and audit. Motion by Comm. Pappas, second by Comm. Holden. Motion Carried.

Sheriff's Extradition Vouchers

Motion: To approve the Sheriff's Extradition Vouchers dated:

- October 13, 2011 in the amount of \$237.33
- October 31, 2011 in the amount of \$45.25
- November 8, 2011 in the amount of \$515.74
- November 14, 2011 in the amount of \$57.87

for a total of \$856.19, noting that they have been approved by the County Attorney's Office. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2012-09 – Contingency Grant Expense to Corrections, Miscellaneous lines

Motion: To approve Transfer # 2012-09 to transfer the amount of \$40,801 from Contingency Grant Expense, Line 4199-7740 and to transfer the following amounts to the following Corrections lines:

- \$4,801 to Medical Supplies, Line 4230-7300
- \$16,000 to Pharmacy, Line 4230-7330
- \$8,000 to Medical/Dental-Females, Line 4230-7588
- \$12,000 to Medical/Dental-Males, Line 4230-7590

for a total transfer of \$40,801. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Comm. Holden added that the aforementioned request is to transfer SCAAP Grant Funds to the DOC Inmate Medical Care Related Lines.

Transfer # 2012-10 – Contingency Grant Expense to Corrections, Miscellaneous lines

Motion: To approve Transfer # 2012-10 to transfer the amount of \$105,340 from Contingency Grant Expense, Line 4199-7740 and to transfer the following amounts to the following Corrections lines:

- \$37,908 to Salaries/Wages, Line 4230-7010
- \$1,725 to Social Security/Medicare, Line 4230-7100
- \$20,448 to Health & Accident, Line 4230-7120
- \$3,150 to Retirement, Line 4230-7130
- \$42,109 to Other Fees/Services, Line 4230-7290

for a total transfer of \$105,340. Comm. Holden noted that these funds are the result of a Grant awarded to the DOC through the Justice and Mental Health Collaboration Program. Motion by Comm. Holden, second by Comm. Pappas. Motion carried

Transfer # 2012-11 - Human Services In-State Travel to Human Services, Other Fees

Motion: To approve Transfer # 2012-11 to transfer the amount of \$500 from Human Services In-State Mileage, Line 4441-7700 and to transfer a like amount to Other Fees and Outside Services, Line 4441-7290. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Comm. Pappas added that the appropriation for Other Fees and Services was not adequate to cover required drug and alcohol testing for the ADDE program.

Mr. Wenger noted that the Board may wish defer Transfer # 2012-12 because it relates to a bid that will be addressed later in the meeting; the Board concurred and deferred its action until later in the meeting.

Bid # CIS-14-2012 – Sheriff's Office IMC Annual Software Support

Motion: To approve Bid # CIS-14-2012 for the Sheriff's Office for IMC Annual Software Support to Information Management Corporation, North Grafton, MA in the amount of \$11,305, noting that this is a single source bidder consistent with RSA 28:8-e V. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger explained that the renewal of annual software support across the County is handled through the CIS Department and noted that Bid # CIS-14-2012 relates to key software in the Sheriff's Office.

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 530 in custody; the Census included 470 men of whom 129 had been sentenced and 341 that were being held pre-trial. There were 60 women of whom 17 had been sentenced and 43 that were being held pre-trial; additionally there were 11 in the community.

Mr. Dionne informed the Board that the DOC has heightened its alert regarding inmate suicides, and has added 15 minutes to the family visits for the next month.

6. Nursing Home

Census

Mr. Moorehead presented the Nursing Home Census; he reported that the Census as of December 8th was 278, which included 196 Medicaid residents, 46 Private Pay residents, and 35 Medicare-Part A residents.

Bid #12-2012 Podiatry Services

Mr. Moorehead explained that Bid #12-2012 is for Podiatry Services; he recommended Dr. Christopher Bush, who has been with the facility for four years, and explained that there is no cost to the County because Dr. Bush will bill Medicare, part B Directly.

Motion: To approve Bid #12-2012 for Podiatry Services to Dr. Christopher Bush, the recommended provider, noting that Dr. Bush bills Medicare, part B Directly. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Bid # 13-2012 – Health Care Services

Mr. Moorehead explained that Bid #13-2012 is for Health Care Services and recommended Concentra, Londonderry, NH at a price of \$50 for each Pre-employment Physical and \$40 for each Skills Assessment, further noting that it is the lowest responsible bidder. He added that the Skills Assessment confirms that the employee can perform the duties as outlined on the Job Description.

Motion: To approve Bid #13-2012 for Health Care Services to Concentra, Londonderry, NH at a price of \$50 for each Physical and \$40 for each Skills Assessment, noting that it is the lowest responsible bidder. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Bid # 14-2012 – Disposable Vinyl Gloves

Mr. Moorehead explained that Bid # 14-2012 is for Disposable Vinyl Gloves to Central Paper Products, Manchester, NH at a price of \$2.31 per box or \$23.09 per case, noting that it is the current provider and lowest responsible bidder.

Motion: To approve Bid #14-2012 for Disposable Vinyl Gloves to Central Paper Products, Manchester, NH at a price of \$2.31 per box or \$23.09 per case, noting that it is the lowest responsible bidder. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Bid # 15-2012 – Electric Rates

Mr. Moorehead presented Bid # 15-2012 for Electric Rates, noting that Mr. Lencki had discussed the rates at the last Board meeting. He recommended Hess Energy at a savings of 7.8% on the electric rates.

Motion: To confirm the award of Bid # 15-2012 for Electric Rates at a rate of .0696 per KWH; the lowest responsible supplier is Hess Energy, Woodbridge, NJ. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

November 2011 Revenue

Mr. Moorehead presented the November revenue; he explained that the budgeted amount for Room & Board plus ancillary services for the month of November was \$1,821,129 while the actual was \$1,754,171, resulting in a negative variance of \$66,958, which is due primarily to the cut in the Medicare part A rate due to MDS 3.0 that he has spoken about at previous Board meetings; it has resulted in a 7 to 8% drop in the Part A rate as of October 1st; additionally, November was a 30-day month.

Mr. Moorehead added that he has reviewed the Room & Board and ancillary services for the year-to-date through November 30, 2011 to see where the Nursing Home stands relative to the current budget. He noted that the unaudited figures include a budgeted Room & Board plus ancillaries of \$9,105,647 with an actual of \$9,016,016, which has created a negative variance of \$89,631 for the first five months of the fiscal year. He added that the majority of the variance is from November and relates to the Medicare Part A cutback. He noted that he has not included any ProShare. He added that the Bed Tax coming in later than anticipated creates a concern for the end of the year; the State has pulled back approximately 25% of the budgeted amount. He added that if ProShare comes in close to the amount received in June, 2011, it should help make up the variance.

Sheriff's Office

Bid # 2012-11 – 2 Chevrolet Impalas

Sheriff Hardy explained that Bid # 2012-11 is for 2 Chevrolet Impalas for the fleet that were approved in the FY2011 budget; he recommended MacMulkin Chevrolet, Nashua, NH, at a cost of \$41,230, with a request to waive competitive bidding, noting that this is a State bid.

Motion: To approve Bid # 2012-11 for 2 Chevrolet Impalas for the Sheriff's Office that were approved in the FY2011 budget to MacMulkin Chevrolet, Nashua, NH, at a cost of \$41,230, with a request to waive competitive bidding consistent with RSA 28:8-e (V), noting that this is a State bid, and that this bid is contingent on the approval of Transfer # 20-12. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Transfer # 2012-12 – Contingency Drug Asset to Sheriff New Equipment

Motion: To approve Transfer # 2012-12 to transfer the amount of \$70,218 from Contingency, Line 4199-7232, and to transfer a like amount to the Sheriff's budget line 4211-7970, New Equipment. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

In response to a question from Comm. Ziehm, Sheriff Hardy explained that this transfer relates to equipment for the vehicles, low-profile firearms for those assigned to plain clothes duty as well as an additional computer for the office in the amount of \$800; the funds come from Drug Asset Forfeiture.

County Attorney

Request Re: Renewal of Domestic Violence Prosecutor Grant

Attorney Hogan addressed the Board with a request for it to renew the Domestic Violence Prosecutor Grant in the amount of \$40,000, and asked that the Chair execute the agreement. Attorney Hogan noted that there is uncertainty in whether the Grant will continue. He noted that grants have covered the salary of the Prosecutor who handles domestic violence issues. Discussion ensued relative to the grant.

Mr. Wenger noted that the document in front of the Board today indicates that the grant is for \$30,000; the grant is actually for \$40,000; however all these documents were printed prior to the change and the correct amount is \$40,000. He added that page 23 indicates the breakdown of how the funds will be used and noted that this grant covers a portion of this County employee's salary and other grants cover the remainder. The position is fully grant-funded.

Motion: To renew the Domestic Violence Prosecutor Grant application and authorize the Chair sign the *Department of Justice, Stop Violence Against Women Grant* on behalf of the Board. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Registry of Deeds

Revenue Update

Register Coughlin presented the Board with an update regarding revenue at the Registry. She indicated that Tax Stamps were up for the month of October, and the Document Count was down. Mrs. Coughlin referred the Board to page 3, which outlines a history at the Registry going back to 2005; she noted that the last three years have been basically level; she anticipates that it will be the same in the current budget year. In response to a question, Register Coughlin added that the Registry is close to the budget at this time.

Register Coughlin requested an opportunity to meet with the Board in Non-Public Session consistent with RSA 91-A:3 II (a) relative to a personnel issue.

Old/New Business

Intent to Negotiate

Mr. Wenger informed the Board that the County has received two notices from the Teamsters with a request to reopen negotiations, one relates to the Supervisors at the Department of Corrections and the other to the County Attorney's staff. The Board agreed to forward the requests to Mr. Flygare to set meeting dates for the negotiations.

Risk Pool – Input Re: Surplus

Mr. Wenger noted that he had received a request from Betsey Miller at the NH Association of Counties; he added that she would like input from the Commissioners relative to a committee at the Legislature that is looking at Risk Pools such as Primex, the Local Government Center, and other public insurance pools. He added that one of the issues under consideration is that any surplus premium would be used for a

“benefit holiday;” there is also a discussion about using the surplus premium to stabilize future rates. He added that currently, if there is an anticipated surplus, the surplus is used to reduce the premium for the coming year. The effect is that this keeps the premium lower and more stable over a course of years. Ms. Miller is asking for the Board’s feelings regarding the “benefits holiday,” and/or the use of surplus to stabilize rates. Mr. Wenger added that having a “benefits holiday” would be a nightmare for the County because of the number of bargaining agreements and policies in the County and because every employee who is contributing would have to re-imbursed individually. Discussion ensued relative to the effect a change would have on the County. Mr. Wenger added that by Statute, pools have to return surplus to the members; the issue here is how it will be done. The Board concurred that it would support rate stabilization as an allowable method for the pool to address any surplus.

Motion: To express to NHAC the Hillsborough County Board of Commissioner’s support for rate stabilization regarding risk pools. Motion by Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Wenger added that there are grievances to be heard, and the Board had discussed setting a time for a work session relative to the Policies & Procedures. Following discussion, the Board agreed to meet at 8:30 a.m. on January 11th to address the grievances; the regular Board meeting is scheduled to start at 10:00 a.m.

The Board discussed its 9:00 a.m., December 28th meeting. Mr. Wenger noted that the Chief Justice will be joining that meeting. Commissioners Ziehm and Pappas will attend; Comm. Holden will not be able to attend. The Board re-considered the meeting date and agreed to see if the Chief Justice would be able to meet with the Board on December 27th.

The Board agreed to meet on December 22nd at 9:00 a.m. for a Policies & Procedures work session. Discussion ensued relative to how to proceed and the Board agreed to start with the Draft Policies and Procedures that Mr. Wenger has developed. The meeting is open to the public and anyone who is interested was encouraged to attend.

Superintendent Search

Mr. Wenger informed the Board that the Superintendent position was posted internally at the Department of Corrections consistent with County Policy and contractual obligations. Mr. Wenger added that there is a report coming to the Board with respect to the input gathered at the last Board meeting regarding the search for a Superintendent. He added that the ten-day internal posting requirement has been met, and the Board may address the application it has received. The Board agreed to move into Non-Public session to address issues before it.

The Board received the following requests to meet with the Board in Non-Public session:

- Mr. Wenger requested a Non-Public session consistent with RSA 91-A 3 II (a) relative to a personnel issue related to the Business Office
- Ms. Robinson, Director of Human Services, requested a Non-Public session consistent with RSA 91-A 3 II (a) relative to a personnel issue
- Register Coughlin, Registry of Deeds, requested a Non-Public session consistent with RSA 91-A 3 II (a) relative to a personnel issue
- Mr. Wenger requested a Non-Public session consistent with RSA 91-A 3 II (b) relative to the hiring of an individual.
- Attorney Kirby requested an opportunity to meet with the Board to consult with Counsel.

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

The Board moved into Recess at 10:13 a.m.

The Board moved out of Recess at 10:21 a.m.

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

Motion: To move into Non-Public Session:

- with Register Coughlin, Mr. Wenger and Attorney Kirby consistent with RSA 91-A:3 II (a) relative to a personnel matter,
- with Ms. Robinson and Attorney Kirby consistent with RSA 91-A:3 II (a) relative to a personnel matter,
- with Mr. Wenger and Attorney Kirby consistent with RSA 91-A:3 II (a) relative to a personnel matter related to the Business Office, and
- with Mr. Wenger and Attorney Kirby consistent with RSA 91-A:3 II (b) relative to the hiring of a public employee.

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

The Board moved into Non-Public session at 10:22 a.m.

The Board met with Register Coughlin, Attorney Kirby and Mr. Wenger.

The Board met with Ms. Robinson and Attorney Kirby.

The Board met with Mr. Wenger and Attorney Kirby.

The Board moved out of Non-Public Session at 12:16 p.m.

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

Motion: To direct the County Administrator to continue the process with Primex. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

The Board agreed to move its March 7th Meeting to Thursday, March 8th at 9:00 a.m.

Mr. Wenger informed the Board that he received the Identification Discussion Summary Report dated November 30, 2011 from Primex relative to the Superintendent search, which provided an overview of the discussion with the various participants on November 30th.

Motion: To direct the County Administrator to continue the process with Primex consistent with the prior agreement with them. Motion by Comm. Holden, second by Comm. Pappas. Motion carried.

Mr. Wenger noted that the Board has agreed that a meeting and discussion will be held with the applicant on Thursday, December 22nd.

Mr. Wenger referred the Board to the document in its packet relative to the sale of State land; he added that this particular sale relates to the sale of the parcel that housed the former Nashua District Court.

Mr. Wenger informed the Board that there is a conflict with the meeting location for the Board's March 8th meeting and asked the Board if it wished to consider holding that meeting at the Department of Corrections or the Nursing Home; the Board agreed to move its meeting. Comm. Ziehm noted that she would like to visit the DOC again.

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 12:22 p.m.

Approved 2/22/2012

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

Date