

Regular Meeting of the
Hillsborough County Board of Commissioners
December 17, 2008
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. T. Pappas, Comm. C. Holden, Comm. M. Clemons, M. Lencki, M. Wageling, E. A. Robinson, M. Rusch, C. Roach, S. Merhalski, D. Kearsley, G. Wenger, and L. Stonner.

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 9:27 a.m., followed by the Pledge to the Flag led by Comm. Holden.

2. Minutes

Minutes of December 2, 2008

Motion: To approve the minutes of December 2, 2008. By Comm. Clemons, second by Comm. Holden. Motion carried.

3. Business Office

Approval of Payroll Register

Motion: To approve the Payroll Register dated 12/11/08 in the amount of \$1,206,616.92, subject to review and audit. Motion by Comm. Holden, second by Comm. Clemons. Motion carried.

Approval of Accounts Payable Register

Motion: To approve the Accounts Payable Register dated 12/16/08 in the amount of \$2,643,295.12, subject to review and audit. Motion by Comm. Clemons, second by Comm. Holden. Motion carried.

4. Department of Corrections

Census

Comm. Pappas directed the Board to the Census provided by Supt. O'Mara and noted that he asked to be excused from this morning's meeting. She further noted that the first meeting with the Mental Health stakeholders will be held that evening.

Comm. Clemons noted that he will be going to the Department of Corrections after today's meeting to work with Mr. O'Mara relative to the meeting.

5. Nursing Home

Census

M. Lencki was recognized. He presented the Nursing Home Census, noting that as of December 11, the Census was 277, which included 208 Medicaid residents, 42 private pay residents, and 27 Medicare Part A residents. In the Nursing Home's specialized programs there are 11 Hospice residents in-house and 20 ELU residents.

Mr. Lencki informed the Board that the Nursing Home survived the ice storm and that the Maintenance Department did a great job, as did the Staff. He reported that there were few "call-ins." Comm. Clemons mentioned that he called the Nursing Home a couple of times during the ice storm to inquire about staffing. He noted that he had learned that some staff had made a "yeoman's effort" to get in to work as well as working overtime, when asked. He observed that this is a tribute to the staff of the Nursing Home that everything went so smoothly. Comm. Pappas also commented that the staff did a great job, and she learned that the Nursing Home had a tea for residents in spite of the weather. Mr. Lencki recognized the contribution of PSNH and noted that it sent over a van load of Christmas gifts for residents, each with a name tag; these will be passed out to the residents.

Bid # 16-2009 – Health Care Services

M. Lencki presented Bid # 16-2009, which is for Health Care Services for pre-placement physical exams and pre-placement work skills assessment. He recommended Bedford Occupational Acute Care, Bedford, NH, at a price of \$48.00 for the pre-placement physical exams, and \$50 for the pre-placement work skills assessment testing.

Motion: To approve Bid # 16-2009 for Health Care Services to Bedford Occupational Acute Care, Bedford, NH, noting it is the lowest responsible bidder. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden commented that all the power companies were doing good work in the many towns in their attempts to restore power. Sheriff Hardy sent out a supervisor and two deputies over the weekend to help in the towns. Comm. Pappas noted that the County is doing everything it can to help.

6. Public comments on Agenda items

There was no one present from the public to speak today.

7. Old/New Business

The Board reviewed the proposed schedule of its meetings, and arrived at the decision that the proposed schedule will be changed slightly. The Board meeting scheduled for December 31, 2008 will start at 10:00 a.m. The January 7th meeting will be the first meeting of the new year; it will begin at 8:30 with the Board being sworn in. Future meetings will follow every two weeks. Future January and February meetings will begin at 10:00 a.m. Meetings for March through July are scheduled to start at 9:00 a.m., but that could be subject to change, dependent on the weather.

Mr. Wenger inquired relative to whether the Board would wish to schedule pending grievances for the January 7 meeting. He noted that this was one of the dates Mr. Lyons considered. The Board decided that it would prefer to schedule the grievances at the end of the meeting. Mr. Wenger noted that he will suggest that date and attempt to schedule the meeting with Mr. Lyons.

Comm. Pappas informed the Board that she asked to have the computer status on the agenda and noted that the CIS staff was present; however, Mr. Moorehead was unable to be here today.

Mr. Wenger informed the Board that his understanding is that after the last meeting, the County sent all the reports it had to the vendor, noting we not heard from them with their analysis of the status; everything at the County's end indicates that the server is operating correctly. Mr. Wenger explained that he has received one inquiry from Mr. Moorehead relative to the server being on the generator here, and noted that the County's entire Computer Department is on the generator. Mr. Wenger noted that there was a question whether the Nursing Home server was down for a period of time, but he would defer to Mr. Moorehead relative to that because the CIS Department was not aware of that.

Mr. Wenger also noted that the server was re-booted that day, so the server was down for approximately 15 minutes while it re-booted, and noted that should not have affected Accumed. Munis was down for a longer period of time that same day.

Mr. Wenger deferred to the CIS staff to answer questions. Mr. Roach noted that on the day of the issue, the system had been unstable, which is why the server required re-booting. He further noted that within 15 minutes of receiving the call from the Nursing Home, the server was back up and running. Mr. Roach noted that Microsoft is making it a little problematic; sometimes when a system does an update on a server, the system will become unstable until the server is re-booted. In that situation, the CIS department finished the updates, re-booted the server, and everything was back to normal in no more than 15 minutes from the time the call was received. Mr. Roach noted that the same issue applies to all the County's servers; it's not a geographic location, it is, unfortunately, how Microsoft operates. Comm. Pappas asked Mr. Roach if he believed the location of the server makes a difference, to which he responded that it would not. The Nursing Home would still have these issues if the server were moved because the Microsoft updates have to happen, or the environment or the operating system is unstable. Mr. Roach informed the Board that the CIS Department tries to choose opportune times to do these updates, but sometimes things happen that require that the system be re-booted.

Mr. Wenger informed the Board that one of the reasons for having the server local is so an issue like this can be addressed immediately. He noted that had the server not been local, staff would have had to make arrangements to go to the Nursing Home to do the re-boot, involving more time than if it could be done on site. When done locally, it can perform the re-boot function in a much shorter period of time. The CIS Department is in the middle of doing a number of things, and while waiting for the updates and/or the re-boot process, it can be performing other functions as the process occurs. Mr. Wenger explained that we are a Microsoft platform and we do have to periodically do these security updates.

Comm. Holden observed that by having the server at the CIS Department, it means that it is backed up every day, but if it were at the Nursing Home, it would not get backed up. Mr. Wenger noted that currently that server is backed up on the County's central backup; this server does not have a built-in backup, so the County would have the expense of purchasing and implementing a backup system.

Comm. Clemons asked for clarification relative to the problem being with the compatibility of the software between Microsoft and what is at the Nursing Home. Mr. Roach responded that the CIS Department does not know why periodic bouts of instability occur and noted that CIS staff has tried to work with the vendor to try to determine what those issues are. He noted that the Accumed program is a new program, and sometimes you have to work with growing pains with new programs. Comm. Clemons asked if it is a Beta program. Mr. Roach responded that it was not, and it is his understanding that the product was released to the County with the understanding that there was a fairly critical update that was due on the heels of the purchase; as of now, and to his knowledge, the update has not been received. He further noted that the vendor has been allowed to come in and do what they need to do on the server remotely. Periodically, the vendor may be applying updates or patches; the CIS staff can see that they are in the system, that they are working on the platform, but really does not know what they are doing or how big the issue is that they are working on, so at times there is no way to know if they are applying a patch that could take everybody down. Mr. Roach informed the Board that there are times when the system appears to be unstable and could be related to work done remotely by the vendor, and that to resolve the issue, the server has to be re-booted. He explained that unfortunately, Accumed has done 100% of the installation and setup all remotely; they have yet to show up in person to work on the system or to do any of the support; this is how the CIS Department has had to do business with them.

Mr. Wenger noted that the issue just discussed relative to Microsoft is not unique to this program; all of the County's servers had to be updated with those updates because the County works on a Microsoft platform. He further noted that the County does not have Administrative rights with this software; the vendor performs all the maintenance and updates to the system, so the County has to go to them and take

direction from them if there is anything to be done; however, if there is instability, the CIS staff has to re-boot the system. This puts the County in the position of watching rather than understanding what the vendor is doing. He explained that he is hopeful that when the software is stable, the County will have some Administrative rights, but for now, this is the way the vendor wants it set up.

Comm. Pappas asked if there was a time period when this will be resolved. Mr. Roach responded that the Computer Department is in the midst of laying the platform for the County's new network and is hopeful that the network stability and the application stability will improve. He noted that Accumed's work in the system has improved its stability. The Computer Department schedules periodic server re-boots on the weekend, in the hope that it will not impact the end user, but make the server that much more stable, and this has reduced down time during working hours.

Mr. Wenger informed the Board that the Computer Department will invite a staff person from the Nursing Home who is working with the software, to come to the Computer Department and do the work here for a period of time to see if there is any significant difference. Comm. Pappas noted that was a brilliant idea. Mr. Wenger noted that this will give the County a bit more information relative to the location of the server, and whether geographic location makes a difference.

Mr. Wenger informed the Board that he wished to recognize the three CIS Staff who were present today and explained that they are in the midst of a very complicated and complex project to bring in a new telephone system, and upgrading the entire network on which it is based. He noted that they have been doing "yeoman's work," and explained that each day has brought forth a new hurdle that they have worked diligently to resolve. He further noted that they will be at the Nursing Home tomorrow morning at 6:00 a.m. moving to new switches; there will be a period of down time, but they will be working with Presidio, the engineers, and the staff to do this at a slow time. Mr. Wenger explained all the other office switches are done; the next step will be to bring in the telephones; he is hopeful the telephones will be operating in mid-January. The plan is to do a rolling switchover; people should see new phones on their desk soon, but they won't be working externally until January.

The CIS staff was excused at this time.

Mr. Wenger informed the Board that Primex was at the County to present a preview of its new website. The site will allow the County to access information on a daily basis relative to the County's Worker's Compensation and Liability claims. He noted that the meeting emphasized the complexity of a Safety program that is appropriate for the County and he discussed this year's Safety requirements, portions of which are due January 1st. His recommendation is to take the work done by the Nursing Home and Department of Corrections, which are due January 1st, along with last year's report from the Registry of Deeds, and file them together as one. He further recommended working during the year to meet the requirements for the County's next filing period and put together a Safety Program that includes the foundation in place along with developing a more effective program.

Comm. Holden informed the Board that yesterday's Primex presentation was outstanding. She indicated that she was very impressed with the information that will be available on their website such as: the ability use the data, to see charts, to review a five-year program, and to watch the trend in claims and costs such as the current status of the County's Worker's Comp rate. Mr. Wenger noted that the site will be updated every day at 4:00, so if a claim was settled yesterday, it would be reflected today, and you will know where the County stands. He noted that there will be different levels of access in order to protect privileged and confidential information.

The Board unanimously agreed that Mr. Wenger should submit the Safety Programs that are in place as one packet to meet the January 1, 2009 deadline.

Mr. Wenger informed the Board that he met with Mr. Lunsford as well as Toni Flewelling from Primex yesterday afternoon relative to the Health program. He noted that the County has received a not-to-exceed figure of 8.8%; that rate will be reviewed again in April, and then in May; there are more reviews going forward so that is not a final figure but it is a not-to-exceed figure. Mr. Wenger explained that Primex is offering a program that would allow the County to realize a 2% discount on our health program if the County agrees to enter into the program. He noted that participating in the program would bring the not-to-exceed figure of 8.8% down to 6.8%; however, we would still have the reviews as we go forward.

Mr. Wenger explained that to realize the 2% discount, the County would need to agree to participate in four education programs. There are two programs that would need to be completed before June 30th. One would be a program relative to our prescription drugs, which the County has already completed. Twenty-one sessions were conducted that explained the County's prescription programs to its employees. Mr. Wenger noted that the information received since the training indicates that the monthly prescription expense has been going down. A second program would be an overview of the County's Employee Assistance Program (EAP). Primex has engaged a new entity to handle its Employee Assistance Program. Mr. Wenger explained that assistance is available to all employees, whether they have Health Insurance or not, as well as families, and it provides legal consultations, health consultations, management consultations and other support. They are asking us to participate and to allow them to give employees an overview of the Employee Assistance Program. Mr. Wenger suggested that we allow them to do this whether we participate or not because there is a wealth of information available in that program and it would be a positive step to help educate the County's employees and inform them of the benefits available to them.

Mr. Wenger explained that the County will need to participate in two out of three other programs: one deals with health care consumerism, one with heart health, and the third is musculoskeletal related injuries and diseases. Primex would come down and the County would make the program available to its employees and noted that in exchange, the County would need to make a commitment to join the program before January 1, 2009 as well as accept their membership agreement. Mr. Wenger noted that the agreement does have some issues that need to be resolved and explained that there was discussion with T. Flewelling relative to the possibility of signing the agreement, contingent upon resolving differences, one of which is the County's usual requirement for a "30-day out" of the contract. Mr. Wenger noted that he asked Ms. Flewelling to inquire if continuing education credits might be available for those attending the programs; she will take that request back to Primex. Mr. Wenger observed that a 1% savings represents approximately \$40,000, so the savings could be significant, perhaps as much as \$100,000. Mr. Wenger asked the Board if it is interested in the program, and if so, he offered to proceed forward and come back to the Board at its next meeting.

Each of the Board members expressed a request for Mr. Wenger to proceed with the program and return with a recommendation at the December 31st meeting.

Mr. Wenger requested the opportunity to meet with the Board in Non-Public session under RSA 91-A:3 II (a) relative to employee compensation. Comm. Pappas noted that she has received a request from E. Robinson for a Non-Public session under RSA 91-A:3 II (a) relative to employee compensation, as well as a request from C. Kirby to meet in Non-Public session under RSA 91-A:2 I (b) to consult with Counsel and a request from Comm. Holden to meet in Non-Public session under RSA 91-A:2 I (b) to consult with Counsel.

Mr. Wenger informed the Board that Attorney Wageling is present, and the meeting relative to Hillsborough Court South that she was scheduled to attend on December 12th was cancelled due to inclement weather.

Attorney Wageling reported that the meeting with Senator D'Allesandro is still on for December 30th.

Mr. Wenger reported that the wood doors were being brought in for the upstairs Court project today, and noted that the end of the project is approaching. Once complete, they will be asking for the inspection and Certificate of Occupancy. The Court is expecting to begin moving in on December 29th and begin operating the following Monday.

M. Rusch reported that the Executive Committee will meet at 9:00 a.m. on Friday December 19th and the Christmas party will follow. Comm. Holden noted that the Caucus for the Towns was held at 5:30 and she received a number of calls from Delegates who were not notified. Ms. Rusch responded that a mistake was made by an assistant; and noted that a sheet of labels was overlooked by the assistant doing the mailing. Comm. Holden noted that Representatives from Amherst and Hollis were upset because they were not there until after the Caucus was done, and they were interested in being on the Executive Committee. Ms. Rusch noted that she will send them a letter explaining what happened.

Comm. Pappas asked the Board if it was ready to address the Non-Public sessions.

Motion: To enter Non-Public session with Mr. Wenger under RSA 91-A:3 II (a) relative to employee compensation; to enter Non-Public session with Ms. Robinson under RSA 91-A:3 II (a) relative to employee compensation, to enter Non-Public session with C. Kirby under RSA 91-A:2 I (b) to consult with Counsel, and to enter Non-Public session at the request of Comm. Holden under RSA 91-A:2 I (b) to consult with Counsel. Motion made by Comm. Clemons, second by Comm. Holden. Pappas-yes, Holden-yes, Clemons-yes. Motion carried.

The Board entered Non-Public session and met with Mr. Wenger regarding an employee compensation issue.

The Board met with Ms. Robinson to discuss her annual Performance review.

The Board met with Attorney Kirby to discuss pending litigation matters.

No action was taken during Non-Public session.

Motion: To return to Public Session. By Comm. Holden, second by Comm. Clemons. Motion carried.

The Board returned to its regular meeting at 10:56 a.m.

Motion: To approve settlement authority in the case relative to the Department of Corrections. By Comm. Holden, second by Comm. Clemons. Motion carried.

Comm. Holden noted that the Delegation has a discussion of the adjusted mileage rate and inquired if the elected officials have been notified that the Board would be following the Federal change, to which Mr. Wenger responded that a notice was sent to all department heads and elected officials.

Comm. Holden noted that she received the NACo Participation and Membership Benefits Report and suggested that each Commissioner receive a copy of the report. She noted that over \$26,000 was saved through the Prescription Drug Card Program. She also noted that while the County did not receive any Federal funds under the PLT program, three Towns in the County did receive funds. She noted her surprise that in looking at the publications and subscriptions to learn that there are only nine Hillsborough County newspaper subscriptions, only two people receive the Legislative Bulletin, which comes out by email, and weekly E-news is received by Comm. Holden and one other person in the County.

Mr. Wenger suggested that there is a lack of knowledge of the NACo publications, and perhaps the information needs to be communicated to the County.

8. Adjourn

There being no further business before the Board, the Chairman entertained a motion to adjourn.

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

The meeting adjourned at 11:00 a.m.

(SIGNED 12/31/08)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date