

Regular Meeting of the
Hillsborough County Board of Commissioners
December 20, 2007
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, L. Movsesian, A. Durette, M. Wageling, E. Robinson, G. Wenger, J. O'Mara, B. Moorehead, M. Rusch, and L. Stonner.

Also present: S. Lyons, P. Martel, and C. Benner

1. Pledge to the Flag

Comm. Pappas called the meeting to order at 3:42 p.m. Marcia Rusch led those present in the Pledge to the Flag.

2. AFSME Local 2715 Contract Execution

Comm. Holden moved to recess while the Nursing Home contract was executed.

The AFSME Local 2715 Contract was signed by the Board and the Union representatives.

Motion: To come out of recess. By Comm. Holden, second by Comm. Clemons. Motion carried

The Board returned to regular session following the execution of the contract.

3. Minutes

Approval of Minutes of November 20, 2007 and December 3, 2006.

Motion: To approve the minutes of November 20, 2007. By Comm. Holden, second by Comm. Clemons. Motion carried.

Motion: To approve the minutes of December 3, 2007. By Comm. Clemons, second by Comm. Holden. Motion carried.

4. Business Office

Approval of Payroll Register

Motion: To approve the Payroll Register dated 12/13/2007 for \$1,055,733.15, 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 12/19/2007 for \$5,583,499.40, subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Sheriff's Extradition

Motion: To approve Sheriff's Extradition Vouchers dated 9/06/07 for \$423.85, 10/15/07 for \$901.86, 10/19/07 for \$443.00, 10/26/07 for \$669.14, 10/31/07 for \$391.64, and 11/05/07 for \$664.72 for a total for Batch 1 of \$3,494.21- subject to review and audit. By Comm. Clemons, second by Comm. Holden. Motion carried.

Motion: To approve Sheriff's Extradition Vouchers dated 6/20/07 for \$907.82, 9/05/07 for \$46.96, 9/09/07 for \$10.00, 9/12/07 for \$96.92, 10/12/07 for \$3.50, 10/18/07 for \$1,288.77, 10/26/07 for \$52.00, and 10/31/07 for \$2.20 for a total for Batch 2 of \$2,408.17, and a Grand Total of \$5,902.38- subject to review and audit, noting that the County Attorney has approved these. 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 Rockingham County Department of Corrections, noting that all three Commissioners were in accord and the motion passed unanimously. By Comm. Holden, second by Comm. Clemons. Motion carried.

Transfers

Transfer No. 2008-02 – Contingency to Corrections

Motion: To approve Transfer No. 2008-02 – Contingency to Corrections for \$11,000 for Grant Expenses. By Comm. Clemons, second by Comm. Holden.

Comm. Holden asked if this transfer pertained to both male and female, to which Mr. O'Mara responded that it was indeed for open enrollment, at different times.

Motion carried.

Transfer No. 2008-03 – DOC Salaries/Wages to DOC other fees

Motion: To approve Transfer No. 2008-03 – to transfer out of the Salaries/Wages account at DOC \$8,500 into DOC other fees and services, noting that justification is attached and that it is for two positions that need to be filled on a part-time basis, due to illness. By Comm. Holden, second by Comm. Clemons. Motion carried.

Transfer No. 2008-04 – Human Services – Salaries to Overtime

Motion: To approve request for budget Transfer No. 2008-04 – from Human Services-Salaries to Overtime. By Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Holden asked if the change was related to HB 02, to which E. Robinson confirmed that it was.

Bid # CIS 10-2008 – Telephone System

Motion: To approve Bid # CIS 10-2008 – for a Telephone System, to Presidio Network Solutions, 10 Sixth Road, Woburn, MA for a total of \$455,416. By Comm. Clemons, the bid did not receive a second.

Mr. Wenger was recognized and informed the Board that the Bid materials presented for its consideration include a memorandum setting out the facts supporting the Department's request to waive competitive bidding, and to proceed under RSA 28:8-eVII. He explained that RSA 28:8-eVII allows the Board to waive competitive bidding where a department is able to negotiate prices for items that are lower than bid prices for the same materials. He explained that bids had been solicited for a new Cisco Telephone System to serve the County; that an RFP was developed with specifications outlining all the hardware, software, and support required; that the County had gone out to bid and two bids were received, one from Presidio Network Solutions, the other from Alliance Core Technologies, Inc. Mr.

Wenger noted that in analyzing the bids, the bid from Presidio Network Solutions was in compliance with the requirements of the RFP; however, the bid price was in excess of the funding appropriated for the project. He explained that \$400,000 had been appropriated for this project, which in addition to the telephone hardware, software, and support included in the RFP required upgrading cabling at various sites across the County. He explained that the second bid, Alliance Core Technologies, did not meet the specifications noting that the County required vendors to be Gold Certified Cisco Resale Partner, and Alliance Core Technologies did not meet that requirement as well as other technical requirements. He also noted that this bid, when considering the additional cabling requirements, was also in excess of the available funding.

Mr. Wenger noted that as both bids were above the allocated funds, consistent with RSA28:8-e VII, the CIS Department sat down with Presidio, which had submitted the only complying bid, and the manufacturer, Cisco, to determine if they were open to negotiating a price within the appropriation. Mr. Wenger informed the Board that Presidio, working with Cisco, has agreed to deliver this project as they bid it, as well as the required cabling, for \$389,899.00. Mr. Wenger asked the Board to consider waiving the bidding requirements since the County has been able to negotiate a better price for the same products consistent with RSA28:8-e VII and recommended the contract be awarded to Presidio Network Solutions, Inc.

Comm. Clemons withdrew his motion.

Motion: To waive competitive bidding as authorized by RSA 28:8-e VII, and to award the bid for the Cisco IPT System to Presidio Network Solutions, Inc., of Woburn, MA at the negotiated price of \$389,899.00, subject to the terms and conditions of the Request for Proposals, Cisco IPT System dated October 3, 2007 published by Hillsborough County, and Presidio Network Solutions, Inc.'s response thereto dated November 27, 2007, and to include cabling as outlined in a quotation, document #70342, provided by Presidio. By Comm. Clemons, second by Comm. Holden. Motion carried.

Comm. Pappas shared her thanks with Mr. Wenger who noted his thanks to the CIS department for all the work they have done to make it possible to finalize this bid before year-end.

M. Wageling joined the meeting at this point.

5. Department of Corrections

Mr. O'Mara presented the Census, noting that the census as of December 14 was 511, which included 468 men, 127 of whom were sentenced and 341 were pre-trial. He informed the Board that there were 44 women, which included 10 sentenced and 34 pre-trial.

Mr. O'Mara requested a discussion with the Board regarding part-time positions, noting that in the last seven months his department has had 25 line correctional staff resign for a variety of reasons. He requested that the Board add 10 part-time correctional officer positions at the Department of Corrections facility, to be funded at \$1, noting that he is proposing taking the funds from the full-time position accounts. He indicated that he realized that the Board and the Executive Committee must approve such a request, and further noted that it is not DOC's intention to exceed any of the funds allocated for the full-time positions because of the benefit implications. He noted that he expects more staff will be available after the next academy. Mr. O'Mara informed the Board that he started the week with 55 open slots, noting that normally there are 40 volunteers to fill those slots, at which time they require another 14 to work, then mandate 5 additional employees to meet our 55 required employees (before the first sick call). Mr. O'Mara noted that many vacancies were the result of full-time employees taking advantage of the opportunity to purchase retirement time when offered to them a couple of years ago, noting that some of those employees, as well as others who have moved into the private sector, are interested in part-time hours. Mr. O'Mara expressed his belief that this would significantly reduce the overtime impact they are currently facing.

Mr. Wenger noted that there is no need for a budget transfer as funding for full and part-time positions are in the same salary line. He suggested that as the next budget is prepared, the part-time positions would be budgeted at \$1.

Motion: To approve the ten part-time positions, for a total of 13 part-time positions, on the recommendation of the Superintendent to help alleviate the vacancies at the Department of Corrections. By Comm. Holden, second by Comm. Clemons. Motion carried.

6. Nursing Home

Mr. Moorehead was recognized. He presented the Nursing Home Census, noting that as of December 13, the Census was 275, which included 213 Medicaid residents, 38 private pay residents, and 24 Medicate Part A residents. He noted that they had a re-admit and an admit today, and expects admissions tomorrow as well as two discharges prior to Christmas Eve for residents to go home for the holiday.

Mr. Moorehead referred the Commissioners to the November Revenue sheet in their packet, noting that the budgeted income of \$1,538,060, versus the actual revenue total for the month of \$1,562,170, resulted in the revenue being \$24,110 over budget and to the good.

Bid #16-2008 – Elevator Modernization

Mr. Moorehead presented Bid #16-2008 for Phase 3 (of 3) for Elevator Modernization and completion, noting the lowest responsible bidder is Stanley Elevator Co, Inc. for \$55,300. Mr. Moorehead noted that this is a twelve-week job; a part of the job involves having the County's Maintenance Department outline the specifications under electrical; a portion by outside Contractors has already been completed. The guarantee for this work is one year, and the service contract with Stanley Elevator will kick in after the one-year guarantee has expired.

Motion: To approve Bid #16-2008 for the County Nursing Home for Elevator Modernization, phase three, to Stanley Elevator Co., Inc., Nashua, NH, for \$55,300, noting that it is the lowest responsible supplier. By Comm. Clemons, second by Comm. Holden. Motion carried.

Bid #18-2008 – Nurse Call Unit – Master Control

Mr. Moorehead presented Bid #18-2008 for a Nurse Call Unit, Master Control backup unit, noting that this is necessary to have on hand in the event of an emergency and one of their units burned out; the backup unit is used to bring the nurse/call bell system back on line, noting this is for safety and security. He recommended Raintech Sound & Communications at a price of \$3,280 as the sole source supplier, noting that when purchasing capital items such as this unit, the cost of this item can be depreciated.

Motion: To approve Bid #18-2008 for a Nurse Call Unit-Master Control to Raintech Sound & Communications, Manchester, NH at a price of \$3,280 noting that Raintech is the sole source supplier. By Comm. Holden, second by Comm. Motion carried.

Bid # 15-2008 – Mental Health Services

Mr. Moorehead presented Bid # 15-2008 for renewal of Mental Health Services, noting that the contract is due to expire on December 31, 2007. This Mental Health Services item was already bid out; the bids were opened yesterday (12/19/07). Mr. Moorehead recommended the Board approve continuing with the current provider, Generations Geriatric Mental Health, Manchester, NH, noting it is the lowest responsible bidder and the only bidder for this phase. Mr. Moorehead noted that this does not cost the County anything; it is a direct-bill contract through Medicare.

Motion: To approve Bid # 15-2008 for Mental Health Services, bid to be awarded to Generations Geriatric Mental Health, Manchester, NH, noting it is the lowest responsible bidder, and the only bidder for this phase, also noting that January 1, 2008 will begin the first year of a three-year contract. By Comm. Clemons, second by Comm. Holden. Motion carried.

7. County Attorney

Bid # CA2007-03 – On-Line Legal Research Contract

Attorney Wageling presented Bid # CA2007-03 – On-Line Legal Research Contract, noting that this is the instrument they use, and noted that it is a fabulous deal with LexisNexis; this is part of attempting to reduce the paper in the office.

Motion: To approve Bid # CA2007-03 for On-Line Legal Research Contract, the first year of a three year contract, to LexisNexis. The unit price for the first year is \$403/month, and for the second and third year, it is \$519/month, for a total of \$18,372 for the three-year period, noting it is the lowest responsible bidder. By Comm. Holden, second by Comm. Clemons. Motion carried.

Mr. Wenger suggested that while the County Attorney is present, it might be a good time to review the Chestnut Street project. He informed the Board that at the last meeting with Mr Lorentzen, it was reported that investigation and research completed in preparation for the asbestos abatement project concluded that the building would need to be completely vacated in order complete the project. He advised the Board he understood that Mr. Lorentzen would be making this recommendation. In light of this it is his understanding that the funding approved for the project is not sufficient. Att’y Wageling informed the Board that the difference is between three million and ten million in very general estimates for the whole project: to move everybody out of the building, find space to be rented, refurbish the building, and move everyone back in. She further noted that the State is in the middle of a biennium, and it is not going to add a budget line now, so the earliest time to get it into the next budget and for anything to happen would probably be two years.

Mr. Wenger noted that the asbestos is more widely spread than anticipated – it is in the walls and the ceilings, which limits what you can do with the building. M. Wageling informed the Board that there are many issues and that the asbestos is much more pervasive than expected, and because the ductwork is open, once people start dealing with asbestos in any portion of the building, they run the probable risk of the asbestos getting into the vent system. Now that the County has this information, it is understood that it is not possible to do any major repairs to the ceilings or walls because of the risks. The air quality has been tested and is fine now, but they must be sensitive to the issue before doing any significant repairs or renovation. M. Wageling noted that there are many issues with that building and they are “bursting at the seams,” further noting that she is in a critical situation; she is turning cases away and telling them not to bring certain felony cases to her office because she simply can’t handle the caseload she currently has. M. Wageling offered to sit down with Mr. Wenger to try to develop reasonable plans or options, but is not sure what those plans will be; it is possible they will include renting, noting there may be some space across the street. Comm. Holden opined that the State would want to keep the court there. M. Wageling noted that the Judges in the building are very upset and all the lawyers who walk in every day are growing ever more concerned about the building, and further noted that she does not think the State will do anything for a couple of years.

Mr. Wenger noted that they would have to re-group and look for temporary measures, to which M. Wageling responded that rental options could be considered.

Temple Street

M. Wageling thanked the Board for approving the wonderful filing system for the Temple Street, Nashua location, and noted they are hoping to install them in January; the area where they will be going still has some windows that need to be disposed of and the carpeting needs to be removed. E. Robinson noted that she is looking for a solution, including salvage companies that accept and recycle such items.

8. Sheriff's Department

Bid # 08-015 – Additional Database Licenses

Sheriff A. Durette presented Bid # 08-015 – Additional Database Licenses

Sheriff A. Durette informed the Board that the Sheriff's Office has functioned for many years with the current number of Database Licenses on their records management system, but as the number of employees and the workload has grown, it has become difficult for some employees to log onto the system, therefore he is requesting that the Board approve the additional 10 licenses which will improve their capability from 10 to 20 simultaneous users.

Motion: To approve Bid # 08-015 for Additional Database Licenses to be awarded to Information Management Corporation of North Grafton, MA, for \$1,200 for 10 user database licenses, \$250 for installation, \$1,450 for a Subtotal with \$300 annual maintenance. By Comm Holden, second by Comm. Clemons. Motion carried.

Delegation

M. Rusch reported that the Delegation would meet the following day.

9. Public Comments

No members of the public were present at the time.

10. Old/New Business

Mr. Wenger informed the Board that all towns had submitted their taxes and thanked the communities for submitting on a timely basis. Additionally he noted that the supplemental Pro Share payment of approximately \$200,000 is scheduled to take place today.

Mr. Wenger explained that the bids for Goffstown District Court project have been sent out, and there is a walk-through for all potential bidders scheduled for December 27 at 9:00 a.m.

Mr. Wenger noted that the Commissioners have a proposed meeting schedule for their consideration.

He informed the Board that the Wetlands Study report was presented to Master Plan Committee last Friday, referring the Board to the large map, which outlines the wetlands and recommended that the Board accept the report. Comm. Holden informed the Board that there is not budget money to go further now, but the next step in January is for the Master Plan Committee to develop a road map of the steps that need to be taken. Mr. Wenger noted that the report provides the County with a good understanding of its land.

Motion: To accept the Wetlands Study report. By. Comm. Clemons, second by Comm. Holden. Motion carried.

Mr. Wenger requested a Non-Public Session under RSA 91-A:3 II (a) Compensation, and asked Mr. O'Mara and Mr. Moorehead to join the discussion.

Comm. Holden noted that the Board also needs to address the Administrative Reviews, suggesting that it should be done before the end of the year, noting that there is a provision in the procedure, No. 5, which reads, "Individual evaluation forms shall be completed by each Commissioner and delivered to the Human Resource Operations Director in confidence. The Human Resource Operations shall complete a master evaluation form, which will reflect the average scores and evaluations submitted by each Commissioner, and a compilation of all written comments. The final rating shall be the average of the Commissioners ratings." Comm. Holden went on to explain that this was part of the Draft of 1/27/06. Mr. Wenger informed the Board that this was a draft proposal that the Administrators had presented which was not formally adopted by the Board. Comm. Holden noted that the proposal would be an option for the Board to consider. The Board discussed an appropriate time for doing the evaluations. Comm. Holden suggested a work session for the following week. The Board agreed to meet on Thursday, December 27 at 9:00 a.m.

Comm. Pappas thanked E. Robinson for the Temple Street building issue report. Comm. Holden indicated that she would like to see the Incident Reports from Temple Street, noting that she did visit the building last week and had no issues to report, but would like to see the Incident Reports being used so that the County Attorney's office, the Sheriff's office and the Registrar of Deeds would be aware of dates and types of complaints relating to the Temple Street building as well as the disposition of them. The general feeling of the Board is that the process should be more formal so that it is aware of complaints, rather than continuing the existing less formal procedure.

Mr. O'Mara informed the Board that his kitchen staff is down from 8 to 4, and that he has 3 FTE's and 1 part-time employee pulling the load of 8 employees. Mr. O'Mara indicated that he had been in contact with Mr. Moorehead to request that some of the Nursing Home employees work along with his employees so that he could give some of the DOC employees time off. Mr. O'Mara noted that both he and Mr. Moorehead are fully aware of the single employer rule, and Mr. O'Mara realizes that he is responsible for any overtime incurred because of Nursing Home employees also working at the Department of Corrections, but he indicated that he has no other alternative at this time. He is searching for replacements with an institutional culinary background, but wanted to make the Board aware of the situation.

Mr. Wenger informed the Board that the majority of his staff, Comm Holden and he met with the Officers of the Delegation and M. Rusch last Friday to have an initial discussion about the budget; the primary focus was the salary sheets, and how they would be developed as they go forward. He explained that he is waiting to hear back from the Delegation regarding whether they want to have names as well as position numbers on the salary sheet, noting that last year there was some confusion and discussion about the need for names. Mr. Wenger informed the Board that every position here has a number, and it is the position of the Business Office that using names seems to cause confusion when people and departments look to follow a name, while the Business Office is simply looking at positions. Mr. Wenger expressed his belief that it was a good general discussion, and an attempt to minimize confusing issues as well as to consider what the Delegation was looking to see when the Commissioners pass the budget along. Comm. Holden opined that she like the idea of each department being assigned one of the Business Office staff versus all departments going to one employee in the Business Office with changes and issues. Mr. Wenger noted the pros and cons of the Munis program versus Excel spreadsheets, noting that the Business Office is committed to the Munis program and that it provides a current day-to-day picture of the finances of the County, where Excel only gives a snapshot from the day it is created. Mr. O'Mara noted one of the "cons" in the Munis program, speaking about the political implications and how the budget can be changed when senior level people are replaced with junior level people, and how that might create a sense that the budget was lowered by committee or the Delegation; however, he noted that whatever direction the Board chose would be fine with his department. Mr. Wenger noted that these are all issues that will be resolved before the budget process.

L. Movsesian thanked Mr. Wenger and his staff for meeting with them, noting that she found the communication very useful and would like to keep those lines open as we move forward.

Mr. Moorehead informed the Board that Eckhardt and Johnson would be working to locate the problem in the sewer line by using a camera, hoping to locate the problem-whether it is a break or other problem, noting they have stopped using wipes, which tend to be caught on rough surfaces in the pipes.

Non-Public Session

Motion: To go into Non-Public session with the B. Moorehead, J. O'Mara, under RSA 91-A:3 II (a) to discuss personnel and compensation. By Comm. Holden, second by Comm. Clemons. Holden-yes, Clemons-yes, Pappas-yes. Motion carried.

The Board moved into Non-Public session at 4:57 p.m.

The Board met with Mr. O'Mara, Mr. Moorehead, and Mr. Wenger to discuss insurance components of the compensation package included in the County's collective bargaining agreements.

The Board returned to public session at 5:31 p.m.

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

Mr. Wenger informed the Board that he has the service agreement for the MPLS Virtual Private Network; this is the first part of the telephone service that was bid a while ago, noting that he has reviewed the contract and Legal Counsel have reviewed it and made suggestions, and all those suggestions have been incorporated into the agreement. Mr. Wenger suggested that it might be appropriate to authorize the Chair to execute the MPLS Virtual Private Network service agreement contract.

Motion: To authorize the Chair to sign on behalf of the Board, as stated by Mr. Wenger. By Comm. Holden, second by Comm. Clemons. Motion carried.

7. 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 5:38 p.m.

(SIGNED 1/2/08)

Comm. Michael Clemons, Clerk
Hillsborough County Board of Commissioners

Date