

**Hillsborough County Executive Committee
Bouchard Building
Goffstown, NH
April 22, 2011 9:00 AM**

Present: Representatives: C. Seidel, J. Ulery, G. Barry, J. Belanger, B. Belvin, R. Day, L. Gagne, P. Garrity, D. Hinch, D. Hogan, W. Hutchinson, N. Kurk, S. Palmer, D. Robbins, B. Shaw, S. Stepanek, S. Vaillancourt, M. Villeneuve, LeBrun, Also present: Commissioners S. Ziehm, Holden, Pappas. Sheriff Hardy, D. Hogan, County Attorney, K. Cusson-Cail, A. Durette, J. O'Mara, C. Kirby, B. Moorehead, M. Rioux, D. Reidy, E. Robinson, M. Castonguay and G. Wenger.

Chairman Seidel requested Rep. Hogan to lead the pledge to the flag.

Minutes

Mrs. Castonguay noted that a new set of minutes have been distributed with correction. Motion by Rep. Garrity, second by Rep. Hogan to approve the March 25, 2011 Executive Committee minutes. On a voice vote motion adopted unanimously.

Appropriation Control Report

Chairman Seidel stated each month Mrs. Castonguay has copies of the current appropriation control report if you are interested in seeing one please see Mrs. Castonguay. The purpose of the report is to show on a monthly basis where the various departments are within their budget. If you have any questions and would like additional information regarding that report please contact Mrs. Castonguay.

Transfers

Motion by Rep. Kurk, seconded by Rep. Garrity, to approve Budget Transfer #2011-15 in the amount of \$600 from, District 1 In State travel to Out of State travel. Mr. Wenger stated that Commissioner Pappas would like to attend the National Association of Counties Meeting. In response to a question Mr. Wenger stated that it was his understanding that only one Commissioner would be attending. Brief discussion by Rep. Vaillancourt noting that at the state level they are really tightening their belts. On a show of hands motion fails.

Motion by Rep. Garrity, seconded by Rep. Hinch, to approve Budget Transfer #2011-18 in the amount of \$9,000 from Sheriff Other fees in the amount of \$1,500, Printing in the amount of \$2,000, Other Supplies in the amount of \$1,000 and \$3,000 from Clothing to Auto Repair. In response to a question Sheriff Hardy stated that this is more than one vehicle and it also routine repairs. Brief discussion. On a voice vote motion adopted.

A request from Rep. Robbins to send out the past 3 years transfers. After a brief discussion Chairman Seidel stated that the information should be sent to the entire Executive Committee.

Motion by Rep. Belanger, seconded by Rep. Ulery, to approve Budget Transfer #2011-19 in the amount of \$64,919 from Superior Court various salary lines to District Court Bailiffs salary lines. In response to a question Sheriff Hardy stated that this is operations driven it depends on what crimes are being committed, etc. On a voice vote motion adopted.

Motion by Rep. Barry, seconded by Rep. Ulery, to approve Budget Transfer #2011-20 in the amount of \$35,978 from Contingency Grants (Drug Asset Forfeiture Funds) to New Equipment. In response to a question Sheriff Hardy stated the guidelines for spending these funds are pretty specific and there are

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rules to follow. Discussion ensued regarding using these funds for items already in the budget as a way to reduce the tax rate. Sheriff Hardy stated that the money has to be used specifically for the Sheriff's Office and cannot be used to supplant existing operations. Sheriff Hardy stated he would gather more information.

Motion by Rep. Vaillancourt, second by Rep. Villeneuve to table motion 2011-20 until the Sheriff comes in with additional information. On a voice vote motion adopted 9-5. Rep. Robbins requested that Attorney Kirby give us specific information on what can and cannot be done with this money. Chairman Seidel asked Attorney Kirby if she has any comments on this issue. Attorney Kirby stated she does not and noted the guidelines are being reviewed. There was a brief discussion regarding the funds. Rep. Vaillancourt stated that he would like to have Sheriff Hardy consult with Attorney Kirby and have her give an opinion next month,

Motion by Rep. Hinch, seconded by Rep. Hogan, to approve Budget Transfer #2011-21 in the amount of \$11,300 from Sheriff New Equipment and Retirement to Social Security. Motion by Rep. Kurk, second by Rep. Hinch to table the motion until further information could be brought in. On a voice vote motion adopted.

Motion by Rep. Stepanek, seconded by Rep. Hinch, to approve Budget Transfer #2011-22 in the amount of \$20,000 from Sheriff Retirement to Gas and Oil. On a voice motion adopted.

Motion by Rep. Ulery, second by Rep. Hinch to approve Budget Transfer #2011-23 in the amount of \$10,780 from Contingency to Sheriff Part Time Salaries and Social Security. On a voice vote motion adopted.

Motion by Rep. Ulery, second by Rep. Garrity to approve Budget Transfer #2011-24 in the amount of \$379 from County Convention Equipment Repair to New Equipment. In response to a question Mrs. Castonguay stated that this is for a digital recorder and the software in order to transcribe minutes. She noted that her recorder is approximately 12 years old and parts cannot be replaced. She also noted that the recorder to be purchased will be shared with the business office and they are sharing the cost. Rep. Kurk asked why the County needs a digital recorder and why tape the minutes. He noted that all that is needed is a motion and a second by, and discussion. "We do not need verbatim minutes." Discussion ensued. In response to a question Mrs. Castonguay noted that the machine will be shared with the Business Office and each office will purchase the software. She also noted that the County will save money on the tapes. The cost of the recorder and software will be approximately \$750 and that it will include 2 sets of software. Brief discussion ensued. Chairman Seidel asked Legal Counsel, Attorney Kirby what are the requirements for recording what goes on at the Executive Committee meetings? Attorney Kirby stated that there are no specific requirements to record but there are requirements for minutes. On a voice vote motion adopted.

Motion by Rep. Ulery, second by Rep. Belanger to approve Budget Transfer #2011-25 in the amount of \$23,000 from Contingency Salaries/Wages to Register Deeds Health Insurance. Mr. Wenger stated that during the FY 11 budget process funding for a position at the Registry of Deeds was removed from the Departments budget and placed in Contingency, pending a resolution of an employment matter. The matter was resolved and now we have to put the money in the Health Ins. Line, from Contingency. On a voice vote motion adopted.

Motion by Rep. Garrity second by Rep. Shaw to approve Budget Transfer # 2011-26 in the amount of \$36,040 from Contingency to Board of Commissioners Other Fees/Services. In response to a question Mr. Wenger stated that the County has been awarded Federal Transit Administration (FTA) Section 5310

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Purchase of Service funding for Region 7 in the amount of \$36,040. The grant is awarded through the SNH Department of Transportation. Discussion ensued regarding one time funding and Mr. Wenger noted that once the funding is done we can eliminate the program and the County's responsibility regarding the liability.

Motion by Rep. Villenivue, second by Rep. Hogan to table the motion until more information comes forward. On a show of hands motion adopted.

Chairman Seidel stated that new information is available on a motion that was tabled earlier, #2011-21. Motion by Rep. Kurk, second by Rep. Stepanek to remove Budget Transfer #2011-21 from the table. On a voice vote motion adopted.

Motion by Rep. Stepanek, second by Rep. Hinch to approve Budget Transfer #2011-21 in the amount of \$11,000 from Sheriff New Equipment and Retirement to Social Security. The Sheriff stated that after consulting with Mr. Wenger and Mrs. Beaulac, the Sheriff's assistant, noting it was a miscalculation. On a voice vote motion adopted.

Motion by Rep. Ulery, second by Rep. Belanger to approve Budget Transfer #2011-27 in the amount of \$276,840 from Contingency Energy Grants to Department of Corrections New Equipment. There was a discussion early on regarding this transfer. In response to a question Superintendent O'Mara stated the fuel source at the jail will be changed from oil to gas. Rep. Vaillancourt asked that the savings from this change be brought up during the Subcommittee. On a voice vote motion adopted.

Motion by Rep. Ulery, second by Rep. Belanger to approve Budget Transfer 2011-28 in the amount of \$48,849 from Contingency Grant Expenses to Department of Corrections Pharmacy. Rep. Kurk requested an explanation for the transfer. Superintendent O'Mara responded by noting that the SCAAP program in conjunction with the Bureau of Immigration and Customs Enforcement and Citizenship and Immigration Services, Department of Homeland Security provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days during the reporting period. These funds can only be used for correctional purposes. He also noted that additional funds are needed to supplement the current appropriation. On a voice vote motion adopted. Brief discussion ensued.

Motion by Rep. Hinch, second by Rep. Stepanek to approve Budget Transfer # 2011-29 in the amount of \$24,500 from Contingency Grants to Manchester Courthouse Buildings. In response to a question Mr. Wenger stated that this transfer is for 8 workstations for office staff when they return to the Manchester Courthouse. They are scheduled to move back during the latter part of August. He also noted that the next 2 transfers are related to the move of the County Attorneys. Discussion ensued regarding all the old desks that are outdated and would not fit into the leased space that the County will be leasing. Mr. Wenger stated that this should have been anticipated since the move date was scheduled for July 1, 2011, he also noted that these are one time expenses and the Board of Commissioners looked at this for a potential way to lower F/Y 12 Budget. In addition, he stated that Budget Transfer 2011-30 was previously approved before the County Attorney Office moved from Manchester. This is for a linear filing storage system. The previous County Attorney opted to not put in the storage system until the new building was finished. Brief discussion ensued regarding the grant money in Contingency. Rep. Kurk questioned if this transfer had to be acted on today asking if the Sheriff's asset forfeiture funds could be used for this additional equipment, Rep. Kurk stated that we should wait until we get a decision from Attorney Kirby. Motion by Rep. Hinch, second by Rep. Hogan to table the motion. On a show of hands motion adopted

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Motion by Rep. Hinch, second by Rep. Hogan to table Budget Transfer 2011-30. On a show of hands motion adopted.

Motion by Rep. Hinch, second by Rep. Kurk to table Budget Transfer 2011-31. On a show of hands motion adopted.

Old/New Business

Rep. Vaillancourt distributed an email from former Rep. Shattuck who chaired a subcommittee on investment of county funds last year. Rep. Vaillancourt noted that Rep. Shattuck said the County could be making 4% more than what we are getting now.

Rep. Vaillancourt stated that he requested to be on the agenda today regarding information that he would like distributed through the Delegation Office. He stated that the "Executive Secretary denied forwarding on information from me to the Executive Committee stating that it will have to go through the Chairman." Rep. Vaillancourt believes that everything that is sent to the Delegation Office should be forwarded to the rest of the Committee without waiting for the next meeting to distribute information. He wants to know is there an easier way to distribute information, such as going through the Delegation Office. Discussion ensued regarding email among the Executive Committee members. In reference to this discussion Attorney Kirby cautioned this body regarding the right to know law, RSA 91-A. She stated that if emails are circulated to a quorum of the Executive Committee membership it is subject to the right to know law. Any general information or anything that would affect the county should be discussed in a public setting. Rep. Kurk would like clarification because he thought that information could be sent to each other as long as it was not sent to the general public and that would be a one way communication and did not constitute a meeting. Attorney Kirby again cautioned noting that one-way information, information as opposed to exchanges back and forth and dialogue regarding matters that should be discussed in a public forum, should go through the Chairman. After a brief discussion Attorney Kirby reiterated that this is a caution only. Rep. Seidel stated that the Delegation Office would be used as a clearing house for information and it will get out to the members of the Executive Committee as general communication.

Motion by Rep. Vaillancourt, second by Rep. Villeneuve that to be a Chairman of a subcommittee for the budget you must be a member of the Executive Committee. Rep. Vaillancourt stated that this is not targeting one individual. He noted that if information that is done during the budget process comes back to the Executive Committee there is no assurance that the Executive Committee will have the knowledge as to what was done during the subcommittee. Discussion ensued regarding one appointment of an individual that was not on the Executive Committee. Rep. Kurk stated that he has reservations with this motion however he does like Rep. Vaillancourt's idea, he agrees that the Chairman of the Subcommittee has to report back to the Executive Committee with changes that took place and why. Rep. Kurk stated that sometimes there are occasions when a member of the Delegation is qualified for the job of Chairman. He also noted that the Chairman should do what Rep. Vaillancourt's motion does except in extraordinary situations and this should be at the discretion of the Chairman. There was additional conversation regarding the motion. Chairman Seidel stated that he would like to keep the subcommittees as is this year, and start over next budget cycle, he also noted that Rep. Jasper could attend the Executive Committee meetings and report back during this cycle.

Chairman Seidel reiterated the motion and requested the vote. On a show of hands motion adopted 9-6.

Motion by Rep. Kurk, second by Rep. Shaw to make an exception this budget cycle for Rep. Jasper to be chairman of the Department of Corrections subcommittee. On a show of hands motion fails, 9-6.

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Rep. Vaillancourt spoke against sending County Bids out to the Executive Committee noting that this would save paper and postage. Attorney Kirby noted that these bids are not required be sent out but must be reviewed, and can be made available at the monthly meetings. Rep. Robbins requested the bids be mailed to him directly.

Chairman Seidel stated he made a proposal to the Board of Commissioners regarding the Contingency account, they noted they would take it under consideration. Chairman Seidel noted that his idea of a Contingency account is for unexpected expenses. Rep. Kurk stated that the Contingency account is used for a variety of reasons, he also noted that this is used as a control. Brief discussion ensued. A suggestion was made for two accounts. He noted that this would be evaluated over the next few months.

Chairman Seidel stated that each Department Head and Elected Official to give a list of priorities and what effect would the cost cutting have on the departments budget. Each Subcommittee Chairman will give a summary at the Executive Committee meeting. He also noted that anyone can go to the subcommittees however if you are not on a committee you will not be able to vote. Mrs. Castonguay stated that the Collective Bargaining Agreements will be presented at the May 31, 2011 Executive Committee meeting noting that these have been ratified by the Board of Commissioners. Discussion ensued. Rep. Vaillancourt asked if the Executive Committee has the authority to decrease the salary lines, he stated he would like to see no increases for the non-affiliated employees this year, he would like to see a 3% cut to reflect what was given last year. Brief discussion ensued.

Rep. Belanger stated that he had an issue with one of the bids from the Sheriffs Office but it has been resolved. Lengthy discussion ensued.

Motion by Rep. Hinch, second by Rep. Whitehead to adjourn at 12:10 PM.

Rep. Gail Barry, Clerk
Hillsborough County Executive Committee

Date _____
Approved _____