

Regular Meeting of the
Hillsborough County Board of Commissioners

BOC
11/15/06

November 15, 2006
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. R. Charbonneau, Comm. C. Holden, Comm. T. Pappas, J. O'Mara, B. Moorehead, E. Robinson, M. Lencki, C. Beaulac, C. Kirby, D. Fredette, G. Chandler, R. Mercer, M. Rusch, G. Wenger, and R. Pomroy.

1. Pledge to the Flag

Comm. R. Charbonneau called the meeting to order at 9:45 A.M. D. Fredette led those present in the Pledge to the Flag.

2. Personnel Commission – Hearing Regarding Petition to Amend Policies

Comm. Charbonneau recessed the meeting of the Board of Commissioners to convene a hearing of the Personnel Commission for the purpose of considering the petition to amend several sections of the Personnel Policies and Procedures.

G. Wenger was recognized. He advised the Commission of the proposed amendments to the Personnel Policies and Procedures. He recommended that the policy amendments include:

2-13:S Employee Classification: to delete the word "Regular" from the definitions, to establish FTE as working 37.5 hours per workweek in no less than 5 days unless otherwise approved by the Board of Commissioners, to note the full time status for the DOC is a 4-2 schedule, to include the definition of a Temporary Employee as noted in policy 2-16:S, and to move the * section regarding the definition of a FTE to the "Regular Employee" section

2-16:S Employee: to delete this section as it repeats the policies as described in policy 2-13:S

7-1:S Probationary Period: to clarify all benefits received during the probationary period, to insert the word "insurance" following the word health, to insert "STD" prior to coverage, and changing the wording regarding holidays

2-1:B Holiday Leave: to strike out the word "regular" regarding employees receiving holiday leave because probationary employees receive holiday pay

3-1:B Medical Insurance: to change the word "medical" to "health" insurance to give more detail about the coverage, including the COBRA obligations

3-2:B Life Insurance: to add eligibility requirements

3-3:B Disability Insurance: to change the phrase "regular full-time" to "eligible"

3-4:B Retirement System: to strike the phrase "regular full-time" to comply with NHRS procedures

5-1:S Hours of Work: to amend to include the new requirements for the full-time classification

1-5:G Sexual Harassment: to replace in the third line the word "may" with "will"

Mr. Wenger also advised the Commission of recommended additions to the policies which include:

3-3:G Crime Victim Leave: New Hampshire law effective January 1, 2005

G. Chandler informed the Commission that policy 3-3:G Crime Victim Leave, requires an employer to allow victims of crime to attend legal hearings regarding their case and to maintain confidentiality. She stated that any employee wishing to use this leave may utilize their vacation and personal time without losing their seniority.

The Personnel Commission opened the floor for discussion and comments regarding the proposed amendments.

B. Moorehead was recognized. He informed the Commission that it would be helpful to include an index and page numbers, noting that it is cumbersome looking items up without an index. He noted that under policy 2-13:S a FTE is defined as a person who works 37.5 hours in no less than 5 days. He advised the Commission

that the requirement of no less than 5 days could cause a difficulty in hiring a qualified candidate for a position because it does not allow for flexibility. A discussion followed. Mr. Moorehead noted that policy 5-1:S Hours of Work, conflicts with policy 2-13:S regarding the FTE requirements because it does not mention the 4-2 schedule at the DOC. He noted that under policy 5-2:S Attendance, in the 5th line there should be a comma between occurrences and disciplinary. He also noted that the rates listed under policy 3-2:B, Life Insurance and 3-3:B, Disability Insurance, are not competitive with the commercial market. He inquired if the Commission knew of a process that would allow an employee to purchase additional insurance. A discussion followed.

E. Robinson was recognized. She informed the Commission that she was in agreement with Mr. Moorehead regarding the lack of flexibility in the FTE requirements. She noted that with more flexibility, qualified candidates would be more likely to take the positions. A discussion followed.

J. O'Mara was recognized. He inquired if the Commission would consider including language in the Personnel Policies noting that FTE requirements between union and non-affiliated employees differ. Mr. Wenger noted that all policies mentioned in the Personnel Policies with the exception of the Sexual Harassment and the Crime Victim Leave only apply to non-affiliated. A discussion followed.

Mr. Wenger suggested to the Commission that regarding the inconsistency in policy 5-1:S Hours of Work, the policy could read "Official/Administrators are responsible for establishing the hours of work for their respective departments" and to strike the remaining 2 sentences of that policy because it is already in the definitions.

Motion: To amend policy 5-1:S Hours of Work to delete the last two sentences of the policy which read "A minimum of thirty-seven and one-half-hours during the workweek of no less than five days is required for an employee to be classified as a regular full time employee. A regular part time employee must work a minimum of twenty-hours per week pursuant to a time schedule established at the soul discretion by the Official/ Administrator." noting that it is repetitious and is not needed under 5-1:S. By Comm. Holden, second by Comm. Pappas. Motion carried unanimously.

G. Wenger advised the Commission that policy 5-1:S as amended be reposted for a second reading as has been past practice. Following a discussion the Commission agreed to repost policy 5-1:S as amended for discussion at the Board's next meeting. The Commission opened the floor to consider further discussion or comments. There being none the following action was taken.

Motion: To amend policy 5-2:S Attendance to include a comma in the third sentence between the words occurrences and disciplinary, noting the sentence read "Failure to notify the supervisor may cause forfeiture of pay for the day, negative performance evaluation and in multiple occurrences disciplinary action." By Comm. Holden, second by Comm. Pappas. Motion carried unanimously.

Comm. Pappas inquired if the numbering of the pages and setting up of an index should be considered as well. Mr. Wenger noted that it is a large project and will be addressed prior to reprinting new books.

Mr. Wenger requested that the Personnel Commission adopt the policy amendments as proposed for 2-13:S, 2-16:S, 7-1:S, 3-1:B, 2-1:B, 3-2:B, 3-3:B, 3-4:B, 1-5:G, and 3-3:G.

Motion: To adopt the policy amendments as proposed by the County Administrator. By Comm. Holden, second by Comm. Pappas. Motion carried unanimously.

Motion: To recess the Personnel Commission Hearing. By Comm. Holden, second by Comm. Pappas. Motion carried unanimously.

3. Ellen Curlop – Long Term Care

Comm. Charbonneau noted that Ms. Curlop would be in to speak with the Board on November 29, 2006.

4. Minutes

November 2, 2006

Motion: Move adoption of the minutes of the meeting of November 2, 2006. By Comm. Holden, second by Comm. Pappas. Motion carried.

5. Business Office

Approval of Payroll and Accounts Payable Vouchers

Motion: To approve Payroll Register dated 11/2/2006 in the amount of \$1,031,798.54 subject to review and audit. By Comm. Holden, second by Comm. Pappas. Motion carried.

Motion: To approve Accounts Payable Register dated 11/15/2006 in the amount of \$4,586,858.60 subject to review and audit. By Comm. Pappas, second by Comm. Holden. Motion carried.

Bid CIS-2-2007: Computer Hardware Purchase

Motion: To approve bid CIS-2-2007 Computer Hardware Purchase to PO Express, Inc. of Garland, Texas, in the amount of \$13,550.76, noting that this was the lowest responsible bidder meeting the specifications. By Comm. Holden, second by Comm. Pappas. Motion carried.

Holiday Schedule 2007

G. Wenger presented the Holiday Schedule for 2007 to the Board noting that it was consistent with past years, and that accommodations were made if the holiday falls on a Saturday or Sunday.

Motion: To approve the proposed list of 2007 holidays. By Comm. Pappas, second by Comm. Holden. Motion carried unanimously.

6. Nursing Home

Census

B. Moorehead was recognized. He informed the Board that the census for the facility as of November 12th was 279, of which 221 were Medicaid, 33 were private pay, and 25 were Medicare Part A. He noted that the Medicare Part A numbers were huge.

Bid # 6-2007: 1 Wheelchair Transport Van

Mr. Moorehead presented bid # 6-2007 for a Wheelchair Transport Van. He noted that the current vehicle is used to transport patients to their doctor appointments, has high mileage and the undercarriage is extremely rusty. He noted that the lowest responsible provider was Northern Bus Sales of Hudson, NH in the amount of \$36,140.00. He advised the Board that the purchase of the vehicle would be depreciated over its useful life of five years through the Medicare/Medicaid programs.

Motion: To approve bid 6-2007 for one Wheelchair Transport Van to Northern Bus Sales of Hudson, NH in the amount of \$36,140.00, noting that this is the lowest responsible supplier. By Comm. Holden, second by Comm. Pappas.

Comm. Charbonneau inquired when the van would be ordered. M. Lencki informed the Board that it would take 8 weeks for the delivery of the vehicle. Comm. Charbonneau inquired if it would be after December 17th to allow time for the Town tax payments to be received, to which Mr. Lencki replied yes. Comm. Charbonneau inquired what would be done with the current van, to which Mr. Lencki stated that it would be credited towards the purchase as a trade in and would be worth \$500.00. A discussion followed.

Motion carried.

Bid # 9-2007: 1 Bladderscan

B. Moorehead presented bid #9-2007 for one Bladderscan to the only responding provider, Direct Supply of Milwaukee, WI, in the amount of \$10,851.41.

Motion: To approve bid 9-2007 to the Nursing Home for One Bladderscan to Direct Supply of Milwaukee, WI in the amount of \$10,851.41, noting that this is the lowest responsible bidder. By Comm. Pappas, second by Comm. Holden. Motion carried.

Mr. Moorehead advised the Board that the revenue for October was 1.494 million dollars on a budget of 1.429 million dollars, which was a positive variance of \$65,500.00. He noted that that figure was with an average daily census of 5 less than budget.

B. Moorehead informed the Board that on occasion the Nursing Home receives restricted donations, which creates a difficulty in accounting in that the Nursing Home is unable to provide proof to the family that the money was used per their request. He noted that during this year's auditing process he was able to speak with Jenifer Dorr, a CPA at Vachon, Clukay & Co., regarding this and she recommended that the County establish a separate account for the purpose of receiving and dispensing of such donations. He distributed to the Board a copy of Mrs. Dorr's email. He noted that the email stated that if the Nursing Home purchased something that exceeds \$1,000.00 then it would have to go through the regular County bidding process. A discussion followed wherein the Board acknowledged its approval of the new accounting procedure.

7. Department of Corrections

Census

J. O'Mara was recognized. He informed the Board that the census at the facility on November 9, 2006 was 537. He noted that there were 487 men, of which 167 were sentenced and 320 were pretrial. He noted that there were 66 women of whom 15 were sentenced, and 51 were pretrial.

J. O'Mara requested one matter for non-public session under RSA 91-A:3 II(g) to discuss a security issue at the facility and requested that Attorney Kirby be present.

Mr. O'Mara presented to the Board, pursuant to the Hillsborough County Department of Corrections, Correctional Officer Certification Policy (A-129), a certificate, which affirms the previous week's graduates of the 35th Hillsborough County Department of Corrections' Training Academy as Certified Correctional Officers, and requested the Board's signature.

Motion: To approve certification for the Officers of the Department of Corrections pursuant to policy A-129 set forth by the Hillsborough County Board of Commissioners Certification Board, to affirm the following graduates of the 35th Hillsborough County Training Academy as Certified Correctional Officers: Jason Barbera, Mark Doyle, Christopher Dudley, Ryan Gray, Rafael Gutierrez, Richard Hazen, Brian Kendall, Derek Kirlis, Barry Longshaw, Christopher Mitchell, Matthew O'Malley, William Payne, and Brian Turcotte. By Comm. Holden, second by Comm. Pappas. Motion carried unanimously.

Mr. O'Mara advised the Board that all of the graduates were male, and that it has been difficult recruiting and keeping female candidates through graduation. He noted that there were 4 candidates who withdrew prior to graduation. He noted that this has become a problem, as female staff is needed to be responsible at times for the female inmates.

County Treasurer

Mr. Fredette was recognized. He advised the Board that he would have a few items on the agenda for its first meeting in December including an update to the investment policy. He noted he would also like to discuss the formalization of the County's rates with the bank. A discussion followed.

G. Wenger informed the Board that it received the Monthly Report from October, and that the Business Office has already received a tax payment from the towns. He advised the Board that the bids it approved would not be charged to the County until after the December deadline for the Town taxes. A discussion followed where in Mr. Fredette noted that Hillsborough County's reserves have increased by 12% over the last 5 years.

8. Human Services

E. Robinson was recognized. She informed the Board the State's response relative to the declaratory judgment has not yet been received. She noted that the response would be due by November 27, 2006.

Ms. Robinson informed the Board that she received the monthly report from NACo. regarding the Prescription Drug program. She noted that there were two prescriptions purchased through the program for Hillsborough County with an average savings of 27%. She noted that the program is well distributed throughout the County.

E. Robinson informed the Board that the rates for YDC were set. She noted that last year the rates were set to \$360.00 and by the end of the year the rate was lowered to \$340.00 based on the actuals. She noted that the rate for this year was set to \$370.00. She noted that since 2001 the rates have grown from \$240.00 in 2001 to \$370.00 presently, which was primarily related to salaries. She noted that Comm. Charbonneau has been serving on the Committee since it began, and at the conclusion of her term the position would be open to be filled by another Commissioner. A discussion followed.

Comm. Holden noted that she received a notification that the NACo. Acts of Caring deadline is January 19th. She noted that she would like to see a child related service through Hillsborough County be nominated for this award.

Delegation

M. Rusch was recognized. She informed the Board that there is a meeting of the Executive Committee this Friday. She noted that for some of the representatives, this will be their last meeting on the Executive Committee and plaques will be handed out to the ones that are retiring. She noted that the organizational meeting would be on Wednesday December 13th pursuant to statutes.

Legal Counsel

C. Kirby was recognized. She informed the Board that she had a couple of matters to discuss with the Board during a recess.

9. Old/New Business

Comm. Holden noted that she received a letter from DHHS regarding the pandemic flu referencing the County's Sheriff's Office. She noted that the Board would communicate with the Sheriff regarding this.

G. Wenger informed the Board that regarding the Annual Report, he has received all but one report from the Departments.

Mr. Wenger informed the Board that the NACo. Dues are \$750.00 for January 2007-December 2007. He inquired if it would be acceptable to process that payment at this time and that it was budgeted for this fiscal year, to which the Board gave its support of the payment.

Mr. Wenger informed the Board that the Building Committee met the previous day. He noted that at the end of the meeting there was a motion to support the transfer provided that Legal Counsel addressed a question regarding whether or not Part II would provide any further obligations. A discussion followed.

Comm. Holden noted that upon the return to public session that a discussion be held regarding the appointments to the master plan.

10. Public Comment on Agenda Items

No members of the public were available for comment.

11. Non-Public Session

Motion: To go into non-public session with the Nursing Home under RSA 91-A:3 II(a) and with the Department of Corrections under RSA 91-A: 3 II (g) to discuss security issues with C. Kirby present. Comm. Holden, yes; Comm. Charbonneau, yes; Pappas, yes. Motion carried.

The Board went into non-public session at 10.36 A.M.

The Board met with Mr. O'Mara to discuss security issues regarding the acceptance of individuals by his facility other than from the Sheriff or police departments.

The Board met with Mr. Moorehead to discuss compensation in his department.

The Board came out of non-public session at 11:35 A.M.

Motion: To come out of non-public session. Comm. Pappas, yes; Comm. Holden, yes; Comm. Charbonneau, yes. Motion carried.

Mr. Moorehead was recognized. He informed the Board regarding the challenges he faces in hiring and retaining Occupational and Physical Therapist. He noted that the rates that are currently being offered by the County are not competitive and that the Nursing Home is losing prospective candidates because of it. He recommended that the Board consider a one-time market rate adjustment for these positions, both filled and vacant, in order to address the facilities' need. Comm. Holden inquired if the positions had an impact on the reimbursement rate for the facility. Mr. Moorehead noted that if the positions were filled the reimbursement rates would improve as well as the Rugs category and the increased salary expense would be paid back to the County in part or entirely through Medicare Part A and B and through Medicaid. A brief discussion of the need and the unique situation facing the facility followed.

Motion: To approve Mr. Moorehead's recommendation for salary increases for filled and vacant OT and PT positions so that the Nursing Home is able to remain competitive in the market place. By Comm. Pappas, second by Comm. Holden. Motion carried unanimously.

Mr. Moorehead noted that it was estimated that the added cost would be covered by the existing budget in the Rehabilitation Department.

Motion: To go into recess to consult with Legal Counsel. By Comm. Holden, second by Comm. Pappas.
Motion carried unanimously.

The Board went into recess at 11:37 A.M.

Motion: To come out of recess. Comm. Charbonneau, yes; Comm. Pappas, yes; Comm. Holden, yes.
Motion carried.

Comm. Holden noted that she anticipates the appointments for the master plan would be made on November 29, 2006. She noted that there would be openings in the Committee for 1 representative for the Board of Commissioners, 1 representative for the State, 1 representative from Goffstown, and 2 citizens from each of the districts. She noted that she has had initial conversations with several people and will have recommendations for the meeting on the 29th. A discussion followed.

Comm. Holden noted that the Board should look to appointing fair-minded, open people of different professions who could call in experts in different fields as needed. Comm. Pappas inquired how often the Committee would meet, to which Comm. Holden noted that it could meet approximately once a month to begin. Comm. Pappas inquired if there would be mileage reimbursement available to those who need it. Mr. Wenger noted that there is funding in the budget related to the master plan project. A discussion followed.


Mr. Wenger informed the Board that he was invited to speak at the Executive Committee meeting on Friday. He requested the Board's consent to respectfully decline the opportunity to speak with the Committee at the meeting in light of how the issues had been framed in the discussions to date by both the Executive Committee and Building Committee. He suggested that as both committees had framed questions for Legal Counsel the Executive Committee should consider those responses and he could not foresee how his presentation would add to the process. He noted that the board had conditioned approval of the bid on approval of the transfer now before the Executive Committee. Following a discussion the Board noted its support for Mr. Wenger to decline to make a presentation at the Executive Committee meeting. Mr. Wenger noted that the Bids would remain open for 120 days.

There being nothing further to discuss, the Board entertained a motion to adjourn.

11. Adjourn

Motion: To adjourn. Comm. Holden, yes; Comm. Charbonneau, yes; Comm. Pappas, yes. Motion carried.

The meeting adjourned at 12:34 P.M.


Toni Pappas, Clerk
Hillsborough County Board of Commissioners

11-29-06
Date