

GRAFTON COUNTY COMMISSIONERS' MEETING

3855 Dartmouth College Hwy.

North Haverhill, NH 03774

Wednesday, January 5, 2011

PRESENT: Commissioners Michael Cryans, Ray Burton and Omer C. Ahern Jr., Executive Director Clough and Secretary Martino.

OTHERS: Treasurer Carol Elliott, Register of Deeds Kelley Monahan, Cynthia Downing, Henry Ahern Jr., Caroline and Ludlow Flower, John Gregg and Harold Brown.

10:35 AM Commissioner Cryans called the meeting to order and said that at 9:00 all the County Elected Officials were sworn in over at the Courthouse and following that, the Assistant County Attorneys' were sworn in.

Commissioner Cryans began by saying that the Board of Commissioners now needs to organize for the new two year term.

Commissioner Ahern said that he would like to begin the meeting with the Pledge of Allegiance and asked if there were any Veterans in the room. Sec. Martino raised her hand and was asked to lead the Pledge.

Commissioner Ahern then said that according to RSA 28:1, there does not need to be a Vice Chair of the Board of Commissioners. He then nominated Commissioner Burton as Chairman.

Commissioner Burton said that he feels very comfortable being the Clerk and does not want to be the Chairman. He said that he believed that Commissioner Cryans should continue as Chairman and would hope that the Commissioners could all work together in a bi-partisan manner despite the fact that the Republicans have the majority in the State.

Commissioner Ahern then nominated himself to be Chairman and said that according to Roberts Rules there does not need to be a second to the nomination. A vote was then taken: Commissioner Ahern voted yes and Commissioners Burton and Cryans voted no.

Commissioner Burton nominated Commissioner Cryans as Chairman to which there was no second. A vote was taken and Commissioner Ahern voted no and Commissioners Burton and Cryans voted yes. Commissioner Cryans was voted in as Chairman.

Commissioner Ahern then nominated Commissioner Burton as Clerk. A vote was taken and all were in favor. Commissioner Burton was voted in as Clerk.

Commissioner Burton said that he still felt it was important to have a Vice Chairman who would run the meeting in the event of the Chairman's absence. He then nominated Commissioner Ahern as Vice Chairman. A vote was taken and all were in favor. Commissioner Ahern was voted in as Vice Chairman.

Board of Commissioners is as follows: Chairman: Commissioner Michael Cryans, Vice Chairman: Commissioner Omer Ahern Jr. and Clerk: Commissioner Ray Burton

The next order of business was the re-appointment of the Department Heads. Commissioner Ahern asked that this be tabled and said that he would like to review the personnel folders of the appointees prior to making any decisions. He stated that the Dept. Heads could continue on status quo until he had a chance to read the files. Commissioner Burton asked Director Clough who was authorized to access the personnel files and she replied that Human Resources, Department Heads, the Executive Director and the employee could access personnel files. HRD Simpson was present in the room and said that it was not stated specifically in the Policy Manual that Elected Officials may access the files. Commissioner Ahern said that he needed to be able to make a knowledgeable decision as to the appointment of the Dept. Heads. He reviewed what the policy stated in the Employee Manual and said that he felt that the Commissioners authority to view files falls under "Department Head".

Commissioner Cryans asked Director Clough if precedence has ever been set regarding Commissioners viewing personnel files and she replied that she does not recall there ever being a request before but for her personally, there is no problem if Commissioner Ahern wants to review her file.

After some thought, HRD Simpson stated that he concurred with Commissioner Ahern that the Commissioners fall under the category of Dept. Head and that they should have access to the files as overseeing managers.

Commissioner Burton said that he would request that no copies be made from any employee folders from either classified or unclassified personnel and that the viewing of the folders is done in a suitable office setting. Commissioner Ahern said that he would like to be able to review them in private.

Commissioner Burton felt it should be done behind closed door and that the folders be returned to HR when Commissioner Ahern was done with them. He added that the Dept. Heads are well known to the "County family" and the Delegation members are also comfortable with them but recognized that Commissioner Ahern wanted to review them.

Commissioner Cryans asked when Commissioner Ahern thought that he could have the reviews completed and he replied that he would be ready to take up the appointments at next week's meeting.

Commissioner Ahern felt there should be a vote on record showing the tabling of the appointments and Commissioner Cryans said he didn't think that would be necessary as they all agreed it was fine.

Director Clough informed the Commissioners that as of today, the folders that the Commissioners will have in front of them at the meetings will contain only their mileage sheets and the information pertinent to the meeting. Once the meeting concludes that information will be put into another folder on their desk should they want to review it at another time.

Nursing Home Administrator Eileen Bolander presented her report to the Commissioners beginning with the census which is at 130. 98 of these residents are Medicaid, 7 are Medicare and 25 are private pay.

There will be repairs made to a water pipe in the Nursing Home this evening between the hours of 7 and 12 PM.

NHA Bolander said there has been a repeal regarding State survey and that CMS has worked out issues with the State and the Nursing Home has received a waiver regarding the nurse's aid training.

NHA Bolander informed Commissioner Burton that a meeting has been set up with Senator Shaheen in Washington DC during the NACo Conference on the 9th of March. Commissioner Burton discussed the benefits that are received from being a participating County with NACo which include a newsletter, seminar/webinars, various other forms of information, the prescription drug card program and the Conference. He said that he feels the Conference is very beneficial to attend.

Commissioner Cryans asked NHA Bolander to elaborate on the LNA class and she said that the classes will continue to be held.

Commissioner Burton said that he will be taking the train down to Washington and suggested that if anyone had any specific questions or a message they would like conveyed they should let him know.

Commissioner Cryans said that he would strongly urge NHA Bolander and B. Miller to get a hold of Congressman Bass and Senator Ayotte and let them know the County Association would like to see them in their new capacities. NHA Bolander said that B. Miller has already been in touch with them.

Commissioner Burton said that an open invitation for office space at the County is extended.

Commissioner Ahern asked NHA Bolander if there has been a process considered for the Grafton County Nursing Home in the wake of the new health care that is coming. NHA Bolander said that she has done a lot of research and as of right now, nursing homes are not accountable care associations though in the future they can expect to have a higher level of acuity.

Commissioner Ahern asked NHA Bolander if it would be acceptable for him to make rounds at the Nursing Home on the third shift sometime. She said that would be fine and could be arranged through her office.

Director Clough reviewed an educational assistance application from an employee who had chosen to take two classes in 2010 which were not approved by the Nursing Home Administrator or the Director of Nursing. According to the policy manual, only one class per semester is eligible for assistance and the application must be approved by the Dept. Head. Commissioner Burton asked why the request was being brought to this level if it had not been approved and NHA Bolander said it was being done at the request of the employee. It was also determined that this employee would be leaving employment with Grafton County this Friday.

Commissioner Burton said that the County has been pushing education however it was too bad that this person didn't get proper timely approval.

NHA Bolander said that if the Commissioners were considering approving this that only one course should be reimbursed in her opinion.

There was further discussion.

Commissioner Ahern moved that the request be denied based upon the policies, which was seconded by Commissioner Burton. All were in favor.

Human Resource Director Simpson arrived and passed out the activity report which he said is confidential information regarding employees.

In his verbal report he said:

- Staffing levels look good right now.
- There are some issues with the current mail order prescription program which are being investigated.
- There will be a Wellness Committee meeting today at 2:00 PM
- HRD Simpson has been appointed Vice President of the HR Affiliated Association. The Association has completed an in depth salary survey of the counties.
- The application for retirement reimbursements has been approved.

HRD Simpson congratulated Commissioner Ahern on being elected and asked that he come down to HR when he has a moment so that he can meet the staff and take care of some paperwork.

Commissioner Burton moved to approve the minutes from December 21, 2010 which was seconded by Commissioner Cryans. Commissioners Burton and Cryans were in favor, Commissioner Ahern abstained.

Commissioners Burton and Cryans signed the check registers. Commissioner Ahern was exempt because he was not sworn in as Commissioner when the checks were written.

Director Clough presented a request from Rich Crocker to meet with the Executive Committee regarding his proposal that the County engage in a pilot program about long term care. The Board of Commissioners had originally turned down his proposal stating that it did not appear to be in the best interest of the County and Director Clough did not think that Mr. Crocker should be going over the Commissioners as they are the one's who run the day to day functions of the County.

Commissioner Ahern said he felt that Mr. Crocker should present the options and didn't feel that the Board of Commissioners can stop anyone from meeting with the Committee if asked. He added that the plan has the potential to save money and he would like to see this discussed further.

Commissioner Cryans said that R. Crocker should discuss it with the Executive Committee if that's what he wanted to do.

Director Clough said she feels that by agreeing to this request, the Commissioners are turning over their authority of the day to day operations to the Delegation but that is their decision.

Director Clough presented the Commissioners with a memo that was written at the request of the Commissioners, to the Delegation, which outlined their responsibilities.

Commissioner Burton said that he would like to have Director Clough's name added as the person to contact if there were any questions.

Commissioner Ahern said he had no desire to put his name on the document and does not feel comfortable intimating to the Delegation what their authority is.

Commissioner Burton said he felt that the Delegation is entitled to the document and will keep it as a guide for when needed.

Commissioner Ahern said that he didn't feel that the Commissioners are in any position to give out legal advice or to tell the Delegation what their powers are.

The memo will not be sent out.

Director Clough said that appointments to the NHACo Executive Committee needed to be made and that the current appointees are she, HRD Simpson, Supt. Libby, Commissioner Cryans, NHA Bolander and HSA Bishop. There are normally five from each county but Grafton County has six because NHA Bolander is the president.

Commissioner Ahern asked that the appointments of the Executive Committee be tabled for another week as he reviews the Dept. Head files. Commissioner Cryans agreed that was fine.

Director Clough gave the Commissioners the update on the NACo Prescription Drug Card Program. There are 1,377 counties participating in the program with \$347M saved and 28.4M prescriptions filled. In Grafton County for the month of November, the price savings was \$7,798, for an average savings of \$13.92 or 27.93%. There were 235 who used the card and there were 560 prescriptions filled.

Piermont will be signing on with the Grafton County Dispatch Center as of February 1st. A contract letter with the town of Piermont was presented to the Commissioners for signature. Commissioner Ahern asked what the fees were and what the term of the contract was as neither was on the letter. Director Clough said that the fees change each year but she did not know what the first year fees were.

Commissioner Ahern said he would like to see a master contract with the terms before signing.

There was a discussion about the Dispatch Center moving to a fiscal year billing cycle and Director Clough said that Director Andross and the Sheriff are reviewing fees and services and plan to present a proposal to the Commissioners at some point.

Director Clough presented three resolutions from Mascoma Savings Bank to be approved and signed, which gives authority to change the name of Treasurer Sievers to Treasurer Elliott and to add Frank Stiegler as Deputy Treasurer.

Commissioner Burton moved to approve the resolutions for signature authority which was seconded by Commissioner Ahern. All were in favor.

Commissioner Burton signed the resolutions as Clerk of the Board.

A thank you note was received from an employee for the Christmas Party that was held in December.

A thank you note to Commissioner Burton was received from West Central Behavioral Health for a donation of vegetables.

Director Clough informed the Commissioners that there was a minor accident at the Jail job site wherein a temp employee hired by HP Cummings fell off a ladder and was transported to Cottage Hospital. The employee was released with minor head injuries.

Commissioner Cryans signed the Drug Case Manager report.

Director Clough gave the Commissioners a tentative budget schedule and said that she was preparing to send out packets to the Dept. Heads and asked the Commissioners if they had any directives for her. She said that there will be increases in health insurance and the retirement based on numbers from today. There is a total number of nineteen new employees that are scheduled to be phased in for the new Jail and there will be no more FMAP money, which is a \$1.4M loss.

Commissioner Burton said he would like to see the budget come in level in so far as possible.

Commissioner Cryans said he was less inclined to believe they can bring in a level budget taking into consideration the aforementioned information.

Director Clough said that the Jail increases have been communicated and should not come as a surprise.

Commissioner Ahern opined that times are hard for people and the County has an obligation to look closely and to scrutinize and to look at a different model while preparing the budget. He said that there is too much at stake here and he would like to set a different paradigm

Commissioner Ahern moved that the Grafton County Commissioners voluntarily take a 10% reduction in their annual salary effective immediately. Motion was seconded by Commissioner Burton.

DISCUSSION:

Commissioner Ahern said that he believes doing this would set the tone of the budget.

Commissioner Burton said that the salaries are set by law by the Delegation and he asked Commissioner Ahern how he would feel about cutting all the Elected Official's salaries. Commissioner Ahern said he was not prepared for that motion and that he felt that it should just be the Commissioners and that it should be a voluntary reduction. He said it would set a new direction and not be just business as usual.

Commissioner Burton said the Board of Commissioners has not recommended a raise for themselves for at least four years. He said that a decision about a salary reduction is something that should be brought up with the Delegation. He said he puts in a fair amount of time at the County and with County business that the pay seems appropriate to him..

Commissioner Ahern said that he knows what the job is and that the Commissioners get compensated 51 cents a mile as well.

Commissioner Cryans said that there was recently a lawsuit regarding Elected Official's salaries and that he didn't think it was the Commissioners prerogative to adjust their

salary. He said that the Board has not had a raise for at least six years that he can recall and he feels that was doing the right thing.

Commissioner Burton asked to amend Commissioner Ahern's motion to say that if an individual Commissioner wanted to take 10% pay cut he could do so. Commissioner Ahern said he was not willing to accept that as a friendly amendment.

When the vote was taken for the Commissioners to voluntarily take a 10% reduction, Commissioner Ahern voted yes, Commissioners Burton and Cryans voted no. Motion fails

Commissioner Ahern then verbally requested that his salary as Commissioner of District III be reduced by 10% effective immediately.

Human Services Director Nancy Bishop arrived. She gave a brief overview of her position at the County.

HSA Bishop said that of the \$7.3M cap, the County is just shy of 50% of that. She said that she does not believe that the cap will be reached, expecting to be about \$1.7M less. She said that Rockingham and Grafton County are two counties that will not reach that cap; however, the State may still expect payments to that amount.

Commissioner Ahern asked if there was a specific person at the State who is not responding to questions when called and HSA Bishop said that it is the position of HHS to not investigate the differences in the cap amount.

Director Clough said there are only three counties that actually review the bills and make payments on their amounts, which included Grafton County. The other counties take the amount of the cap and divide by 12 to make payments.

COMMISSIONER ISSUES

Commissioner Ahern would like to see the Commissioners look into bio diesel. He said it could be produced locally using algae, the rendering of fat, and oil seeds to name of few. He referenced Ihab Farag PhD, from UNH saying that he would like to have Dr. Farag come to a meeting and go over the process.

Commissioner Cryans said that both he and Commissioner Burton have their own niches that they are interested in and encouraged Commissioner Ahern to pursue his and to invite Dr. Farag for a visit if he liked.

Commissioner Ahern said that he would like to commence each meeting with the Pledge of Allegiance.

Commissioner Cryans publically thanked all the people who attended the swearing in today saying it was one of the largest crowds that has attended.

H. Brown was recognized and said that the audit report is now 90 days late and he feels that is unacceptable. He suggested that the Commissioners look for a new auditor.

Mr. Brown said that he appreciated the Pledge of Allegiance though there should be a civilian flag, stating that the one in the office is a military flag.

H. Ahern mentioned that Rite Aid has a better Rx program than the one the County sponsors and Commissioner Cryans said that there may be other programs available but this is just one of the tools that people can use to save money.

*12:30 PM - Commissioner Ahern then moved to enter into non-public session to discuss the hiring of any person as a public employee according to RSA 91-A:3, II (b). Commissioner Burton seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Ahern “yes”; Commissioner Burton “yes” Commissioner Cryans “yes”; Commissioner Cryans stated that a majority of the board voted yes and will now go into non-public session.

*12:50 PM– Commissioner Cryans declared the meeting back in public session and to seal the minutes of that session. The Commissioners then moved on to the next item of business

*12:50 PM - Commissioner Ahern then moved to enter into non-public session for the purposes of discussing the dismissal, promotion, or compensation of any public employee or the disciplining of such employee according to RSA 91-A:3, II (a). Commissioner Burton seconded the motion. This motion requires a roll call vote, Commissioner Cryans called the roll. Commissioner Ahern “yes”; Commissioner Burton “yes” Commissioner Cryans “yes”; Commissioner Cryans stated that a majority of the board voted yes and will now go into non-public session.

*1:16 PM– Commissioner Cryans declared the meeting back in public session and to seal the minutes of that session. The Commissioners then moved on to the next item of business

Commissioner Ahern said that he would like to see language put together for the budget that suggests the Dept. Heads be creative with their budget requests and to look at all the underlying assumptions and to locate and eliminate waste.

Commissioner Cryans asked why Commissioner Ahern assumed that the very same thing hadn’t been asked in the past adding that in his opinion, they have kept cost down pretty well.

Commissioner Ahern said he would like to see a different paradigm and way of putting the budget together. Commissioner Cryans said there needs to be some concrete idea and said that in the past, they have asked that things be kept down.

Commissioner Burton said he would like to see the budget level funded unless there were mandates and that there should be no new positions except for the Jail.

Commissioner Ahern said that the Delegation also needs to be aware of the costs that are passed down from the State.

Commissioner Ahern stated that he doesn’t want to begin wording with “level funded” but rather use the word “reduced”. Commissioner Burton asked if that meant workforce and Commissioner Ahern said it could be.

Director Clough said she would put something together.

Commissioner Ahern said “reduce” is a good word.

1:27 AM Being no further business the meeting was adjourned.

Raymond S. Burton, Clerk