

MINUTES
Cheshire County Commissioners Meeting
Wednesday March 1, 2017 09:30AM
County Hall Building
Commissioners Conference Room
12 Court Street
Keene, NH 03431

PRESENT: Commissioners Charles Weed, Peter Graves, and Joseph Cartwright

STAFF: County Administrator Coates, Finance Director Trombly, County Attorney McLaughlin, Superintendent Van Wickler, Grants Manager Bansley, and Assistant County Administrator (ACA) Bouchard.

Guests: County of Cheshire Superior Court Judge Ruoff

At 9:31AM the meeting opened and Chairman Graves recognized Superintendent Van Wickler. Van Wickler responded to a question from the Commissioners regarding the decrease in current federal and overall population of inmates at the Department of Corrections (DOC) and said that he hasn't studied the reasons behind the decrease but thinks that the way that the courts now work with a focus on moving arrested individuals into drug rehabilitation programs and other alternative sentencing programs when appropriate is impacting the number of people being sent to jail especially during the pre-trial phase. A further discussion of the costs of operations of the DOC began and Van Wickler reviews the history of the two (2) decade increase of the putting inmates in jail that has now has seemingly peaked for the moment.

At 9:37AM Pursuant to 91-A:3 (c) Commissioner Cartwright moved enter non-public session to discuss matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. Commissioner Cartwright moved to enter non-public session to discuss a matter of personnel. Commissioner Weed seconded the motion and upon roll call vote the motion passed unanimously.

As a result of deliberations in non-pubic a decision was made at the request and support of the Superintendent, to restructure a Department of Corrections staff position into two (2) separate positions and change the classification of the position from a Management (M) rating to two (2) Technical positions (Grade T). Further, it was decided to retain the compensation level for the incumbent of the original position at their present level because of their training, education, experience, and longevity of over twenty-one (21) years as a County employee. An existing FTE will assume the duties of the second position with no increase in payroll or benefits.

At 10:06AM Commissioner Weed moved to exit non-public session and return to the public meeting. Commissioner Cartwright seconded the motion and upon roll call vote the motion passed unanimously.

Master Agenda Item #466: 2016 Year-End Financial Review – S. Trombly.

Trombly presented and discussed the following 2016 Fourth Quarter budget review document that will be presented to the Delegation Executive Committee.

4th quarter 2016 Budget Review:

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At the end of 2016, pre-audit revenues ended at 2.18%, \$660,107 over projections for the county and Nursing Home revenues came in at 3.07%, (416,080) remaining. The totals combined amount to a surplus of \$244,027.

At the end of 2016, pre-audit expenses ended very much on target with a combined excess of \$1,540,919. Overall county expenses ended at 1.80%, \$481,223 remaining with Maplewood at 6.17%, \$1,059,696.

As we finalize the budget review of the Executive Committee, the total fund balance committed in the 2017 budget is proposed at \$2,024,934. Of this amount, \$1,024,934 is from ProShare funds received in 2016 with the additional \$1,000,000 from the current year surplus.

The County has a policy that recommends maintaining an Unassigned Fund Balance in the range of 11% to 15% of its overall county operating budget with a general rule of anything over 15% being used to offset taxes to be raised.

At the end of 2015, the Unassigned Fund Balance was \$5,267,682. This represented 12% of the 2016 County Budget.

Based on the current year projections and the proposal to assign \$2,024,934 of fund balance to offset taxes for 2017, the estimated 2016 accumulated Unassigned Fund Balance will be approximately \$6,057,256. Based on the 2017 budget as it currently stands, this Unassigned Fund Balance would represent 13.15% of the overall county budget.

In addition to the summary above, the following areas may be of interest:

Revenues: General County

Federal Grant Revenues — This revenue source as well as the Miscellaneous Non-Federal Grants offset certain expenses throughout the budget such as 4461 — County Received Grants, 4462 — Drug Court and other significant capital expenses attributed to the build out of the new Sheriffs Dispatch Center. Revenues ended at 10.07% (\$174,341) remaining however the expenses associated came in under as well.

Bailiff Revenues — This line item came in over budget by \$57,987. This revenue source is from the State of NH and is reimbursement for the Bailiffs that work under the Sheriff to provide Court House Security. Hourly rates increased as of July 1, 2016 causing an excess of revenues as well as an overage on the associated expense line. The 2017 budget has been adjusted accordingly.

Federal Inmates revenue exceeded the 2016 budget by \$915,746. The 2016 census was budgeted for 27 Federal Inmates. The average census for 2016 was 51 with a high of 63. The 2017 budget has been increased for a census of 37.

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Sale of County Property — This revenue item was for the anticipated sale of the Blood Farm Home in Westmoreland. The property was actively marketed in 2016 however remains on the market as of this date.

Transfer from Fund Balance is at 0.00%. No entry is made as the offset is an accounting function of an automated decline in fund balance based on actuals and the final amount needed from fund balance at year-end.

Expenses General County

Commissioners — This department budget went over by 12.79% (\$35,506) and is due to legal costs associated with negotiating two contracts for the Sheriff's Department and the Department of Corrections. It was not known at the time the 2016 budget was adopted that the Correctional Officers were unionizing.

Contingency — A failed condenser on the roof top of the Administration building caused for an unexpected expense.

Human Services — (Medicaid Expense) This budget went over by \$21,408. This department captures the expenses associated with the County share (50%) of Medicaid assistance for Cheshire County residents in Nursing Homes and Home Based Care.

Interest on Tax Anticipation Notes — This is the expense associated with borrowing funds to support the operating budget throughout the year pending the tax collection in December. This went over by \$28,503 and is a result of the slight increase in interest rates that were realized in 2016.

Revenues — Maplewood Nursing Home

Overall Maplewood Nursing Home achieved 96.93% of the 2016 budgeted revenues resulting in a shortfall of \$416,080. A census of 134 was budgeted for 2016 with an average census achieved of 127.

Expenses — Maplewood Nursing Home

Maplewood Departments — Overall expenses for Maplewood ended at 93.83% expended. This equates to expenses being under budget by \$1,059,696.

Nearly every department was well within or well under budget. Therefore, the revenue shortfall was managed by expenses coming under.

The nursing home administration, with the support of the nursing home departments, worked hard to

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manage expenses with the realization of the lower census by modifying staffing needs when appropriate. Additionally, another challenge that is being faced is the nationwide shortage of nurses. Due to this shortage, there is an increased need to utilize agency nursing services and traveling nurses. As nurses employed by these means are not actual employees, benefit lines such as social security and retirement are came significantly under budget.

An extended discussion then took place around the general fund balance and the expenses and revenue at the Nursing home as well as the importance of maintaining the County's credit rating for bonding purchases.

The Commissioners thanked Trombly for her report.

County of Cheshire Superior Court Judge Ruoff then joined the meeting and introduced himself to the Commissioners and staff. A question from Commissioner Weed about the cost of placing inmates into diversion programs vs. being placed in a jail situation was asked of Judge Ruoff and an extended discussion of the various court diversion programs such as Drug Court and Behavioral Health began. and the Felony First program results ensued.

The Commissioners thanked Judge Ruoff for his visit and extended an open invitation for him to drop-by whenever he had a free time slot. Also discussed was the Commissioners sitting in on the drug court proceedings at the court to be able to gain a greater understanding of the how the drug court runs, who is eligible for the program, and how the selection of participants is made.

A discussion around the review of the manifest each week was then had and questions around how to provide more detailed information to assist the Commissioners in understanding the full accounting functions of the County was covered.

Coates then discussed that there are currently two (2) audits on-going, one at the nursing home for the annual survey of safety and compliance and the second with the County finance audit firm.

Coates said that the meeting with Westmoreland Selectmen's meeting is scheduled for tomorrow night at 6:00PM. He then said that he met with Jo Ann LaBarre, the town Administrator in Westmoreland and discussed the bridge replacement.

Coates reminded the Commissioners that the State Managed Care meeting will be held on March 24th at 10:30AM in the Delegation Room at 12 Court Street, due to the SB 553 hearings being held on the 16th. He said a number of state and county officials have been invited to attend.

Master Agenda Item #467: Police Dispatch Services Contract. Coates and then Trombly discussed the request from the Sheriff to provide a dispatch communications service contract to the Town of Langdon for police dispatch services. A review of the calculations used to determine the cost of the contract was discussed. The Commissioners agreed that the service should be provided to the town even though

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Langdon is just over the Cheshire County line in Sullivan County. It was discussed that the current dispatch service that is in use by Langdon is out of Charlestown and is largely inadequate because the radio signals do not reach many areas in Langdon, whereas the signals from Cheshire County cover the entire town. It was also considered that due to mutual aid compact agreements, both Alstead and Walpole police share mutual aid coverage with the Langdon department (especially coverage for the Fall Mountain Regional High School located in Langdon) and having everyone on the same frequencies would greatly enhance communications during an incident in any one of the towns where outside aid was required.

Coates discussed that the Nursing home has experienced an infestation of bedbugs in one of the Assisted Living apartments and that the problem has already been remediated. Follow-up inspections are scheduled to ensure that the infestation is over.

Coates then discussed the State of New Hampshire, Department of Health and Human Services Choices for Independence (CFI) Waiver that is up for renewal in 2017.

The Choices for Independence (CFI) Waiver is one of four Home and Community Based Services (HCBS) 1915c Waivers operated by the New Hampshire Department of Health and Human Services, serving approximately 3,500 NH elders and individuals with physical disabilities annually. Services currently provided under the CFI Waiver include:

- Personal Care Services
- Homemaker Services
- Home Health Aide Services
- Adult Medical Day Care
- Respite Services
- Skilled Nursing Services
- Personal Emergency Response Services [e.g. Lifeline emergency notification systems]
- Environmental Accessibility Services [e.g. wheelchair ramps, stair lifts]
- Specialized Medical Equipment [e.g. shower/tub benches, mechanical lifts]
- Home Delivered Meals
- Community Transition Services
- Residential Care Facility Services
- Supportive Housing Services
- Consolidated Services
- Adult Family Care
- In Home Care Services
- Non-medical Transportation

Coates said that the waiver also includes a request to allow assisted living facilities to remain on the same physical campus as nursing homes as this configuration has been in place for a number of years in County nursing homes throughout the state.

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Coates then handed out the Westmoreland tax cards for the County properties and reviewed the current data.

Coates then reviewed the letter that was received from Home Healthcare Hospice and Community Services concerning the use of the organizations \$10,000,000.00 restricted fund. A discussion began concerning the possible reasons that HCS maintains such a large restricted fund and possible effect that the balance may have on fund raising efforts by the group.

The Weekly Census report was reviewed and discussed at length.

At 12:07PM Pursuant to 91-A:3 (c) Commissioner Cartwright moved enter non-public session to discuss matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. Commissioner Cartwright moved to enter non-public session to discuss a matter of personnel. Commissioner Weed seconded the motion and upon roll call vote the motion passed unanimously.

As a result of deliberations in non-pubic session a decision was made to investigate restructuring the Human Resources Director position into a Managers position and hiring an internal candidate. Administrator Coates will inform the Commissioners of discussion with the candidates and bring a recommendation forward next week.

At 12:27PM Commissioner Weed moved to exit non-public session and return to the public meeting. Commissioner Cartwright seconded the motion and upon roll call vote the motion passed unanimously.

Suzanne Bansley then joined the meeting to have the Administrator and the Commissioner's sign Community Development Block Grant (CDBG) documentation to complete the grant documentation process. A lengthy discussion of the possible legal ramifications of a failure to comply with federal regulations for CDBG loans began upon questions from Commissioner Cartwright.

County Attorney McLaughlin then joined the meeting and discussed his previous reviews of the federal laws surrounding CDBG programs and said that only one or two items raised any concern but he felt that overall the County was very adequately protected in the way that grants are managed and administered.

Coates signs the document needed for his signature and was witnessed by Bouchard.

Commissioner Cartwright moved to authorize the placement of informational data on the Silvio Conte Wildlife Refuge information on the County website. Commissioner Weed seconded and upon vote the motion passed unanimously. The following is the information being placed on the website:

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Silvio 0. Conte Wildlife Refuge

The Silvio 0. Conte Wildlife Refuge includes the entire watershed of the Connecticut River from the Canadian Border to Long Island Sound. The refuge includes 1.9 million acres in New Hampshire and most of Cheshire County is within the refuge boundaries.

The US Fish and Wildlife Service approved their latest expansion plan for the Silvio Conte Wildlife Refuge. The federal plan focus area for the next 15-year expansion of the Silvio 0. Conte Wildlife Refuge includes the Ashuelot River Comprehensive Conservation Plan and the Sprague Brook Comprehensive Conservation Plan. However, USFWS at any time can acquire anywhere within the boundaries of the SCWR.

Most of Cheshire County is within the boundaries of the Silvio 0. Conte Wildlife Refuge and acquisitions will impact the town tax base, existing and future businesses and job opportunities within Cheshire County.

Link to New Hampshire Silvio 0. Conte Wildlife Refuge comprehensive conservation plan:

[https://www.fws.gov/uploadedFiles/Region_5/NWRS/North_Zone/Silvio_O_Conte_Complex/Silvio_O_Conte/01\(f\)w_Appendix_A_Conservation_Focus_Areas_New_Hampshire\(435\).pdf](https://www.fws.gov/uploadedFiles/Region_5/NWRS/North_Zone/Silvio_O_Conte_Complex/Silvio_O_Conte/01(f)w_Appendix_A_Conservation_Focus_Areas_New_Hampshire(435).pdf)

Link to Silvio 0. Conte Final CCP -EIS

https://www.fws.gov/refuge/Silvio_O_Conte/what_we_do/finalccp.html

Link to Silvio Conte Frequently asked questions:

https://www.fws.gov/uploadedFiles/Region_5/NWRS/North_Zone/Silvio_O_Conte_Complex/Silvio_O_Conte/FAQs_LandAcquisiton.pdf

Commissioner Cartwright moved that the Commissioners vote to support the passage of SB136 that removes the previously disbanded Land Use board. Following discussion, the motion passed unanimously. Following additional conversation, it was decided to draft a letter from the Board of Commissioners in support of the passage of SB 136. Coates and Bouchard will draft and prepare the letter.

The Census was reviewed and accepted.

The Weekly Manifest was then reviewed and Commissioner Cartwright moved to accept the Manifest as presented and was seconded by Commissioner Weed. Upon vote the motion passed unanimously.

The minutes of February 22, 2017 were then reviewed and Commissioner Weed moved to accept the minutes as amended and was seconded by Commissioner Cartwright. Upon vote the motion passed unanimously.

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The Commissioners calendar was reviewed.

At 1:35M there being no further business to discuss, Commissioner Weed moved to adjourn the meeting. The motion to adjourn was then seconded by Commissioner Cartwright and upon vote the motion passed unanimously.

Respectfully Submitted,
C. Weed Clerk