

## **Carroll County Commissioners Meeting**

### **Minutes**

**August 18, 2010**

**Commissioners Present:** David Sorensen, Chip Albee, Dorothy Solomon

**Public:** Rep. Susan Wiley, David Babson, Asha Kenney, Maureen Spencer, Nate Giarnase, Joe Kowalski, Daymond Steer, Kathy Maloney, Brad Harriman, Domenic Richardi.

Meeting called to order at 8:15 am by Commissioner Sorensen

### **Public Input**

1. Maloney: Last week, I spoke with Commissioner Albee in reference to an RSA that a prior Board of Selectman and a future Selectman doesn't have to abide by a contract; unfortunately, he didn't know the RSA. I called the local Government Center and I spoke with the attorney there and she was unaware of any RSA.

2. Com. Albee: I will do some research on it.

3. Maloney: I brought Brad Harriman here today, the Public Works Director, in reference to the jail contract. There is nothing on there talking about the 555 feet of paving that was supposed to be done when the jail was built. I put a call into Marge Webster and I have not heard back from her yet. The day after we discussed it here, I went and took pictures (copies given to Commissioners) and Brad can explain them to you.

4. Harriman: There is a drainage issue going down from where the pavement ends in front of the jail area going down County Farm Road. What we have been able to determine so far is that in 2003, there were 5 catch basins that were installed with the drainage system along with the new jail being put in. The water goes by every catch basin. The road was not constructed at the same time to provide the drainage necessary to put the water into these drains. I can't find the site plan for this. I have to do more research on that. We need to figure out how we are going to correct the situation. Pictures are discussed. When I started as Public Works Director in 2006, I was told that the County Commission was supposed to have that section of road paved when the jail was put in. That was a conversation between Peter Olkkola and I.

5. Com. Albee: I will look for the site plans. They should be at the Registry.

6. Kowalski: Asks about the Cybertron contract and if it was signed.

7. Com. Sorensen: We will make a motion on that today.

8. Rep. Wiley: As budget time comes closer, I would encourage the jail to consider the cost of a holding place. The towns are very disturbed about the idea of having to hold people in their communities and being responsible for that.

9. Babson: Asks about the total cost of the bed that was purchased for the nursing home last week.

10. McKenzie: The cost was \$1099.00 and S&H was 129.00.

11. Daymond: Asks the Commission about their reaction to the speakers last week regarding the homeless and if they have any ideas of how to help out.

12. Com. Sorensen: The purpose of them coming in was to make us more aware of the situation and what the needs are. Whether we would get involved in that is another question.

13. Com. Solomon: We had them here as well to make them aware of the difficulties that are on the County level with not having any place to send people. It is not to have the County do anything about it, but to have an outside source take care of the problem.

14. Daymond: I talked to Joie about it and she did offer some solutions that I thought the County could help with. She talked about the possibility of a halfway house.

## **Minutes**

MOTION: Commissioner Albee moves to approve the minutes of August 11, 2010. Commissioner Solomon seconds this motion. So voted.

MOTION: Commissioner Solomon moves to approved the closed minutes of July 23, 2010. Commissioner Albee seconds this motion. So voted.

## **Reports**

1. Com. Albee: The interest savings on the bond that we currently have written on the nursing home is \$4,335,907. That is the reduction in the amount we will pay as compared to the estimated interest that we were planning on paying.

A few changes from BPS (report available to public) regarding septic tank that needs to be removed, water line that needed to be relocated, water service connection and a structural steel change. All of the changes amount to \$60,220. The savings on the elevator was \$96,000. We accommodated the changes out of the one savings. We had a job meeting yesterday and discussed a number of things; the nurse call system and patient lifts. The prices for the lifts are

ranging from \$275,000 to \$390,000. We want 105 tracks installed with 25 lifts. We are still working on the biomass bids. The part that we are trying to coordinate is the installation.

2. Com. Solomon: The County is going to be hosting the Association of County Convention. I was over at the Grand Hotel in Conway as we want to have it here in Carroll County. They were interested and have plenty of room. I have preliminary information.

### **Jason Johnson - House of Corrections**

1. Current population is 51 in house, 2 weekenders, 5 transfers, 3 electronic monitor, and 12 on pre-trial release for a total population of 73.

2. Total number of admitted inmates for the week was 15 (5 repeaters) and total number of released inmates for the week was 18. Repeater Charges: 1 in for operating after suspension and control drug act, 1 in for DWI, 1 in for simple assault, 1 in for DWI and simple assault, 1 in for protective custody.

3. Farm has been taking out an average of 6 inmates per day. They have 11 available.

4. Last Thursday, we took 4 inmates to the Tri-County CAP building to help with sorting food and loading food for the local food pantries. The inmate labor was well received from the Tri-County CAP staff. We will help out again with the next deliveries.

5. John Alese is here doing the operations assessment. He would like to have an exit interview with one of the Commissioners today at 4:00.

6. Parking lot is now open.

7. I did get a field report from Ed Bergeron.

### **Sandi McKenzie, MVNH**

1. Census is 103. 4 Medicare residents, 27 private pay residents, 72 Medicaid residents, 1 resident out on medical leave of absence. We have 11 on a waiting list. Regarding the waiting list, the way it works is that 50% are by appointment and 50% are walk-ins. Many come after an illness/event which necessitated hospitalization.

2. Certificate of Need - We did receive a letter from the Health Services Planning and Review Board. Our conditions of the CON have been met. Next report to be filed in May 2011.

3. Medicare cost report has been reviewed by the Medicare Administrative Contractor - No adjustments were required. We haven't been overpaid or underpaid.

4. There will be a Resident/Family Cookout today from 4:00 to 7:00

5. Other activities -Residents were able to attend a car show. They also attended the Moultonborough Lions Club BBQ on Monday evening. A few ladies will be going to see an upcoming play.

6. Flu Season 2010-2011 preparation - Vaccine has been ordered. (mixed injection).

7. Com. Albee: How are your expenses?

8. Sandi: Our expenses are holding their own and our revenue is up 7%.

MOTION: Commissioner Albee moves to sign the Cybertron contract for the rest of 2010 for \$20,000. Commissioner Sorensen seconds that motion. So voted.

The Cybertron contract for 2011 is still being reviewed and considered for next year's budget.

Com. Sorensen: The superintendent of the jail has made a proposal for changes in status of officers in the jail, moving the sergeants up to a lieutenant and having a day shift commander, both would be lieutenant positions, and then there would be corporals that would move up to sergeants with 2 team leaders under the day shift plus an administrative assistant. For the night shift, there would be 2 team leaders there and the corporals will move up to sergeants. There is no change in the pay schedule, it's just a shift in responsibility. He feels that this is needed and the captain has also agreed with it. (staff re-organization chart is available)

MOTION: Commissioner Albee moves to accept the changes in positions at the jail. Commissioner Solomon seconds this motion. So voted.

1. Kowalski: What is the lowest position in the jail right now?

2. Com. Albee: Correctional officer.

3. Rep. Wiley: It's my understanding that last year, the folks in the jail did not get their flu shots with the exception of a couple of "medically needy" people. My concern about that is not just for the inmates, but for the staff.

4. Com. Albee: There was a criteria in place for who was to receive flu shots. We can offer and suggest a flu shot, but we can't make them get vaccinated.

5. Babson: Com. Albee had mentioned a structural steel change. What is that for?

6. Com. Albee: It is to accommodate for the installation of the lifts.

## **Steve Weismann, Kai Holt - Energy Audit (Audit attached)**

Draft of the energy audit is provided to the Commissioners. Prepared by Peregrine Energy Group. (see attachment). Mr. Holt explains how the audit is set up and reads through the audit. The goal of this program that the State is offering is to provide information.

1. Holt: Highlights - The best opportunity is in the Administration Building. A new control system is suggested. Lighting should be updated (indoor and outdoor). Add variable speed drives to the two rooftop units on the building. Jail - install a separate dedicated domestic hot water boiler. Recommissioning of the HVC and control systems. Farm maintenance building - separate domestic hot water boiler. Radiant unit heater. Old nursing home - on hold. Can review at a later date. New nursing home - impressed with systems to be used there. Recommend window glazing tint. Wood pellet boiler - sizing is in question, consider expansion.

2. Weismann: Next steps - we can help develop specs to be included in an RFP for projects such as lighting project, control project, etc.

## **Mary Coyle, Joe Donahue - New England Regional Council of Carpenters**

1. Coyle: Questions regarding the new nursing home. Regarding project coordinator and project management, is BPS the clerk of the works and construction manager? Was the construction manager position ever put out to bid? What type of funding is coming into the project?

2. Com. Albee: It is all bonded through the County. We don't have a clerk of the works. We have a construction manager.

3. Coyle: Do you have certified payrolls collected?

4. Com. Albee: No.

5. Coyle: I want to share with you my concerns. I see on a daily basis carpenters being exploited for being misclassified for being independent contractors. I want to see what type of mechanisms for provisions you have in your contract language to make sure that this type of systems doesn't happen in your project. (Chart is handed out to the Commissioners) Contractors and subcontractors are discussed and proper worker's compensation insurance, Social Security, etc. not being provided due to misclassification.

6. Com. Sorensen: Do you have any indication that there is something wrong on this project.

7. Coyle: Not at all. I have dealt with Metro Walls, who is going to be the drywall subcontractor on this project, in the past. About two months ago, there was a project in

Manchester and Metro Walls subcontracted out to another subcontractor who subcontracted out to another, who had 4 Latino workers that were being exploited on this project and didn't get paid. They came to us for help. I called up Mr. Dion, the President of Metro Walls who was very concerned about it. He called the subcontractors and told them that they had to pay those workers. I don't see any problems now in your project, but Metro Walls has been debarred from doing public work in the state of Massachusetts. (A copy of the stop work order was given to Commissioners).

8. Donahue: I am part of the Worker's Comp Fraud Task Force here in NH. There is going to be a new task force formed out of this one strictly for enforcement dealing with this particular issue of misclassification. It is a major problem in this state. There are a couple of suggestions that we have. On a lot of projects, something that would be very helpful to the State would be if all the departments in all the counties, when new contractors are brought on board for a new project, at some point you have to give approval for those contractors and they should definitely include independent contractors. If the drywall subcontractor all of a sudden comes forward and wants to bring in other subcontractors, it would probably raise a flag for you and you want to make sure that they are truly covered by worker's comp and that they are truly independent contractors. There is the Contractor Accountability Law which requires every contractor on a publicly funded project to list, at their job site, every contractor, subcontractor and independent contractor with their insurance carriers. Looking at debarments in other states is suggested.

9. Com. Solomon: When we started this project, I made it a point of speaking to our manager that all people working on this project have to be documented.

10. Com. Albee: When the RFPs went out for bidding on this job, all the RFPs required worker's compensation, all of them required bonding and proper insurance. I appreciate your position. None of us have any control over whether a company who you knew or you like didn't bid on this job because they thought there was no way they would get the job because it's going to get bid low. We had a significant amount of bids and the prices ranged. We didn't always award bids to the lowest bidder. I assure you that every RFP that went out of here had a notation on it that there was going to be worker's comp and proper insurance.

11. Donahue: What kind of controls do you have in place to make sure that happens?

12. Randy Remick - BPS: We are hired by the County as the construction manager. We have been doing this for 40 years. Every single subcontractor out here doesn't start on a job without a signed contract, without proper worker's comp., bonds if needed, liability insurance and so on. Certificates are in our file. If a bus rolled in here with 30 questionable employees, my foremen would be raising that question immediately. I understand what you are talking about and that it's abused in the industry. It's not abused on our jobs and we do everything we can to avoid it. We have in our contracts a clause that says that someone can't sub to someone else without our permission.

13. Mike Dion - Metro Walls: The union was picketing at a job in Boston. I needed to show proof of insurance within 20 minutes. The paperwork was late, I got a fine. I paid the fine so that the workers could get back to work. Because I paid the fine, Metro Walls was put on the debarment list in Massachusetts. This was all from a paperwork issue.

### **Public Input**

1. Kowalski: Has a phone contract been signed?
2. Com. Albee: We are still working on it.
3. Daymond: Has the situation with dispatch been resolved regarding the Sherriff and the Commissioners with regard to who can and cannot make decisions for the department?
4. Com. Albee: Nothing has been resolved. It is not a priority at this time.
5. Babson: Has any decision been made regarding the Cop-op extension?
6. Com. Albee: We are still working on it.

MOTION: Commissioner Albee moves to go into non-public session for the purpose of discussing arbitration results and personnel issues. Seconded by Commissioner Sorensen. So voted.

Meeting adjourned at 10:31 a.m.

April Carpenter  
Recording Secretary