

Carroll County Commissioners Meeting

Minutes

January 5, 2011

Commissioners Present: David Sorensen, Dorothy Solomon, Asha Kenney

Public: Daymond Steer, Maureen Spencer, Henry Spencer, Maynard Thompson.

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

Public Input

1. Maureen: Asks if any non-public minutes have been released yet.
2. Com. Sorensen: They should be available by the end of today's meeting.

Minutes

Corrections for minutes of 12/29/10. Page 1 - Change White Mtn. Electronics to Ossipee Mtn. Electronics. Page 2 - We have PUT furniture out to bid.

MOTION: Commissioner Solomon moves to approve the minutes of December 29, 2010 as corrected. Commissioner Sorensen seconds this motion. So voted.

Reports

1. Com. Sorensen: For the benefit of Representative Babson and his questions regarding the water system - Minutes from August 23, 2001 reads: Voted not to extend the service beyond the end of the current main water lines as indicated on maps of Provan & Lorber of June 2001. Voted to allow property owners presently not on the existing water systems, as of June 2001, to connect to the new water system at the property owners expense. Report of progress of the new building is passed around.

Commissioner Sorensen welcomes Commissioner Kenney to the board of commissioners.

2. Henry: Com. Sorensen asks that Henry reports on subcommittee meeting of the jail. The budget looks to be in line. There was discussion of hiring of a nurse. Overall budget figures were looked at and it came in a little less than 1% increase overall.

Nominations for Officers

MOTION: Com. Solomon nominates Com. David Sorensen to be chair of the board of commissioners. Com. Kenney seconds this nomination. So voted

MOTION: Com. Sorensen nominates Com. Dorothy Solomon to be vice chair of the board of commissions. Com. Solomon seconds this nomination. Com. Kenney abstains from vote. So voted.

MOTION: Com. Sorensen nominates Com. Asha Kenney to be clerk of the board of commissions. Com. Solomon seconds this nomination. So voted.

Sandi McKenzie - MVNH

1. Census is 103 - 3 Medicare residents, 30 Private pay residents, 69 Medicaid residents, 1 resident on a medical leave of absence.

2. Care Tracker Documentation Systems - Care Tracker is a computerized documentation system. Resident services and documentation of the services drives reimbursement. This systems was purchased and installed in 2008. Comparisons are shown below.

2008 Average Medicare rate was \$411.16 with the highest rate of \$574.91.
2009 Average Medicare rate was \$444.49 with the highest rate of \$660.81.
2010 Average Medicare rate was \$481.51 with the highest rate of \$821.57.

3. Fire/Emergency Plan - Commissioner Solomon reviewed the plan. This is ready for signatures.

MOTION: Commissioner Solomon moves to have Commissioner Sorensen sign the Fire and Emergency Plan for the new nursing home. Commissioner Kenney seconds this motion. So voted.

4. Contracting Agreement: Memcare LLC, Geropsychiatrics. (Sandeep Sobti M.D.) Agreement is more reflective of our current volume. Routine care includes 12 hours a month (3 visits per month). The charge is \$1,500.00 per month. This includes evaluation, treatment, drug regulation and tapering of medications.

MOTION: Commissioner Solomon moves to have Commissioner Sorensen sign the contract for Memcare, LLC. Commissioner Sorensen seconds this motion. Commissioner Kenney abstains from this vote. So voted.

5. We will be having a moving meeting on Tuesday, January 11th at 11:00 a.m. in the Delegation room. This will include all of the department heads to begin thoughts and options on how to proceed with the move.

Jason Johnson - HOC/Jail

1. Current population is 59 in house, 0 weekenders, 9 transfers, 1 electronic monitor, and 13 on pre-trial release for a total in population of 82.

2. Total number of admitted inmates for the week was 18 (9 repeaters) and total number of released inmates for the week was 8. Repeater Charges: 1 in for reckless conduct (booked 2 times last year), 1 in for robbery, control drug act, falsifying physical evidence, resisting arrest (booked 8 times over 9 years), 1 in for EBW (booked 4 times over 2 years), 1 in for EBW (booked 3 times over 2 years), 1 in for burglary, possession of burglary tools (booked 2 times in 5 years), 1 in for criminal mischief (booked 4 times in 7 years), 1 in for violation of protective order and witness tampering (booked 5 times in 8 years), 1 in for violation of probation (booked 2 times in 2 years).

3. Farm has been taking out an average of 5 inmates per day. They have 10 available.

4. There have been two subcommittee meetings. The next scheduled meeting is on Monday, January 17th at 9:00 a.m. at the facility.

Other

1. Commissioner Kenney: I would like to thank Judge Patten for swearing me in yesterday. I want to thank Carroll County for giving me the opportunity to serve the County. I am looking forward to serving the County employees and working together with them as well as working with Commissioners Solomon and Sorensen.

Chris Conley

1. Conley: I have been asked to come in to discuss a letter received from State Police Director Quinn. This letter was in response to one I had sent. We are going to have some meetings to enhance the county communications between us and the State Police. We are trying to head off problems by trying to work together. One request that I had was to get a memorandum of agreement between the State Police and Carroll County Sheriff's office on certain radio practices. It's open-ended right now because we haven't finalized it. Discussions will include 911 calls and dispatching in Concord.

2. Com. Sorensen: I have an item here that concerns me. Something was received by our office regarding collective bargaining negotiations with a private attorney. Can you give us any further information on that? Why are you signing a contract with a private attorney to talk about collective bargaining when those have already been dispensed with and signed off on?

3. Conley: The collective bargaining negotiations that I was part of, or that I thought I was part of, I have reason to believe that I was not represented by council and I was told by the lawyer for the county that the sheriff was not signatory to the agreement between the sheriff and the deputies. Based upon that, I decided that it was in the best interest of the county that I seek council. I did authorize that a retainer be paid for that representation.

3. Com. Sorensen: Is this a contract that you are negotiating with an attorney to present you and that it will be paid with county dollars in the amount of \$9,900.00?

4. Conley: That's a retainer to include legal services for the sheriff's office to include the collective bargaining that started last September and as I understand it, the contract is still open.

5. Com. Sorensen: My understanding is that the Commissioners signed it and I thought the Sheriff's Department Union had voted and okayed it.

6. Conley: I sent you a letter stating that I did not agree with it and that I was not going to sign it and I never heard back from you.

7. Com. Sorensen: The union representation has to sign it. That means the stewards within the Sheriff's department and the commissioners.

8. Conley: The lawyer that I thought was representing me, but I don't think he was, states that I was not signatory to it and I don't know why I was told that. If I can get an answer to that question, I think this matter may be resolved.

9. Com. Sorensen: I do have a problem with this particular item and it relates back to what the chairman of the Delegation said back at their last meeting, that we have a continuing resolution based on last year's budget until the 2011 budget is approved which could be up until April 1st, that no new items be considered until budget is passed. I am going to communicate with the chairman and try to resolve this issue with her before we send any money into this attorney's office.

10. Conley: I think you need to communicate with me. If I knew this was going to be an agenda item, I probably would have been more prepared. That is a 2010 expense. I think the chairman of the Delegation made a statement that they don't want to have any new spending with respect to salaries. This expense seems to be very different than what you are referring to. I may have misunderstood. This expense is in the Sheriff's budget for 2010. I do need to call to your attention that the lawyer that was hired was hired by the commissioners only and yet the payments were taken out the Sheriff's department for that. When I found that out, I put in a request to stop those payments, but I do believe you authorized those payments anyway. So far to date, I believe the lawyer charged the county \$12,000 and he has another \$4,000 in pending charges. That amount exceeds the amount that was authorized for raises in the contract. There

are a lot of unresolved issues with that. Any monies that were paid by the Sheriff's office, because I was not represented, I think it's in the interest of the county taxpayers to approve those funds and that's what I intend to do. I think there are some very serious legal issues with this whole thing. If all of your questions are put in writing, I will answer those questions.

11. Com. Sorensen: I would like to see something in writing as to why you feel you were not represented and are you acting as an independent department of the county.

12. Conley: Again, there is a non-disclosure arrangement between the collective bargaining and the members of the negotiation team. Your question speaks of the ultimate issue and it may have to get resolved legally. In my estimation, it was improperly done and it was not in the best interest of the taxpayer and I can't, at this point, say anything further.

13. Com. Sorensen: In past experiences, we have never had this become an issue with the way it's been operated for a number of years. I wasn't in the negotiating team with you, so I don't know exactly what happened there, but your in with management and we are management and so we should be working together as far as any negotiations with the Sheriff's Union.

14. Conley: I am in absolute agreement with that statement.

15. Com. Kenney: I would like you to come back and talk more about the issues that you disagree on.

16. Conley: I will come back, but would prefer to be in a closed session due to the non-disclosure agreement.

Mark Kelly - PIF DocStar

1. Mark: Discussion about DocStar product - Provides electronic document management solutions. Demonstration was prepared, but not presented to the Commissioners. This management solution is for filing of documents, invoices, medical records, human resource files, employee files and accounts payable. All these documents can be accessed through a computer system in 3-5 seconds rather than going to a file cabinet. This program is HIPPA compliant. Services are paid on a monthly basis. Licenses are needed to access the system. This system can provide audit control.

2. Com. Sorensen: Suggested that Mark talk with Kathy Garry in the business office and present this information to her.

Maria Gonzalez - EGA, Landscape Architects

Rob Hoover - HBLA

1. Maria: Introduces Rob Hoover from HBLA who develops landscape design for dementia and elderly patients. One of the big focuses will be the courtyards. We have the entry to the building. There is also an area at the back of the building that needs to be addressed.

2. Com. Sorensen: Our initial thoughts were trying to get a design completed and then working with 501C3 or nurseries within our county as far as donating plant material, etc.

3. Rob: My goal of this meeting is to come away with a sense of the scope of work that you are talking about so that we can then start to figure out where might be best to allocate available monies.

Discussion about splitting/salvaging the existing plants from the current gardens, Commissioner Sorensen donating daylilies and other donations will be looked into. Prioritizing areas. Resident user groups discussed. Door access into gardens for residents discussed. Maintenance of gardens. Some residents would like to be involved in design and maintenance. Ideas for fundraising, donations and sending out to bid. Hand rails in the gardens could be done. Further meetings will be held.

MOTION: Commissioner Solomon makes a motion to go into non-public session for the purpose discipline issues with personnel. Commissioner Kenney seconds this motion. So voted.

Meeting adjourned at 11:34 a.m.

April Carpenter, Recording Secretary