

Carroll County Commissioners Meeting
Minutes
June 1, 2011

Commissioners Present: David Sorensen, Dorothy Solomon, Asha Kenney.

Public: Kathleen Maloney, Chip Albee, Ed Comeau, Daymond Steer, Maynard Thompson, Bill Bird and Linda Dabica.

Commissioner Sorensen called the meeting to order at 8:16 a.m.

Public Input

- Kathleen Maloney inquired as to why the Director of Nursing in the Nursing Home is allowed to wear sandals and not shoes with closed heels and toes. Commissioner Sorensen stated that we would ask Sandy McKenzie when she arrives.
- With regard to 501(c3) what wasn't in the budget that we have to have this 501(c3) for the nursing home? Commissioner Sorensen responded stating there wasn't anything in the budget that we don't have.

Reports

- Commissioner Kenney reported that with regard to the minutes of 5/18/11, she had problems with her computer and asked Commissioner Solomon if she wanted to send it. She still left some questions in, and the outlay was a little different, so I fixed the outlay and sent it to the office myself. Commissioner Solomon asked if the questions were answered. Commissioner Kenney stated that she answered the questions from the meeting of 5/18, but Commissioner Solomon does not have the minutes, and she thinks there were items that needed further explanation, but doesn't recall what they were.
- Commissioner Kenney made a motion to approve the minutes of 5/18/11, as corrected, and this motion was seconded by Commissioner Sorensen. The motion will be tabled until the next meeting.

Motion

- Commissioner Kenney made a motion to approve the minutes of 5/25/11. Commissioner Sorensen seconded the motion, and all were in favor.
- Commissioner Solomon attended a conference on Aging on May 26, 2011. Two of the speakers, one at the general meeting, Dr. Squires, and one at the workshop meeting, both pointed out that in 2030, 43% of the population in Carroll County will be over 65, and that we are already a higher elderly population than FLA.
- One of the Wardens using Prime Care emailed me and said that he uses Prime Care Medical for his physician in the Midland County Correctional Facility. He has his own full time RN and LPN along with a CO, who is also an LPN, and can fill in as needed in medical. He has been very satisfied with their professionalism and service. He personally knew the founder of the company when he was a prison physician at another correctional facility. . The element of trust is essential. Will place this email in the folder with information on Prime Care.

Carroll County Commissioners Meeting
June 1, 2011
Page 2

- Commissioner Kenney reported that she had attended a meeting of the Farm. Farm Day will be held at the end of July 30, 2011, from 9 am-3pm. We now have flyers available for this event and the different demonstrations occurring through- out the day. The Nursing Home will provide food, hot dogs, hamburgers, chips and soda. We are going to have three wooden signs made and they will be posted at Bear Camp, on Rte 28 and on Rte 16.
- Commissioner Sorensen reported that soon after Commissioner Kenney was elected, he gave her a manual about the role of County Commissioners which was outdated from 1996.

I have asked the NH Association of Counties to update it, maybe just do the Commissioner's responsibilities, to look at the RSA's and policies that deal with being a County Commissioner. They are going to take that on during the summer.

- Put out to bid the moving of all the furnishings at the nursing home to the new nursing home. Bid went out to thee companies who may come and look at what needs to be moved.
- I have asked TMD designs for a breakdown on \$36,000 for accessories. I can't see spending \$36,000 on decorative items. Commissioner Kenney recalled that the Chairman signed the check two weeks ago. He stated that he looked at it and felt the check wasn't right, and it has been held. Commissioner Kenny stated that from the beginning, I was against this item. That is why I find it strange that they sent an invoice and they claimed 50%. Why did TMD send the invoice because we didn't vote on it but they are claiming 50%?
- Commissioner Solomon would like a more descriptive list of what they call decorative items. Commissioner Sorensen would like to eliminate the check and write out a check for the art work, and until we get further information on this issue, we table it. All were in agreement.

Department Head Reports

Jason Johnson - HOC

- This morning we have 51 in-house; 1 weekender, 9 transfers, 3 on electronic monitoring and 18 on pre-trial release with a total population of 81.
- A crew will be at the Ossipee Conservation building and they will finish up tomorrow.

Carroll County Commissioners Meeting
June 1, 2011
Page 3

- The County Attorney has the Prime Care contract; it is a work in progress. He has asked me to do some research on a couple of items; and I will meet with Superintendent Church and have him review the contract and give us guidance on where we can negotiate some savings from his perspective, He has negotiated a lot in his contract.
- I spoke with Frank Kolosky last week, and he stated they would be open to the 18 month contract, the second portion of that would be the 3% increases as stated in the contract. In talking with Derek, we increased the catastrophic, because it is an 18 month contract, proportionally was increased to \$37,500. I will have Steve look at that and see if that is adequate based on his experience. Also will be looking to see what are expenditures were for outside services for the past three years.
- The Strogen's contract for the H-vac system is substantially cheaper to go with a two year contract as opposed to Trane. I budgeted for one year with Trane at \$6588 and for two years with Strogens \$5900 and they provide exactly what Trane provides A one year contract with Strogen's would be \$2950, i.e. fix any problem with our H-vac system that would be required. Strogens does work on the other buildings in our complex.

Commissioner Kenney asked if it included air filters and belts, Jason replied that our maintenance man Joe puts these in. This is just a change of service due to decreasing costs.

Commissioner Sorensen stated that we need to talk with them about the three different contracts. Commissioner Sorensen asked that Jason and Sandi get together and look at the contracts and have Kathy Armstrong look at the contract for this building to see if we can come up with a good proposal for them.

- Jason has to do research for how we much we spent on out of facility expenditures for the last three years, and have Superintendent Church look at and give him some guidance, on where we might be able to negotiate a better rate. He also reported that Attorney Dewhurst had concerns regarding the catastrophic cap and if that going to be proportionate to what we had for expenditures in the past.

He had concerns that If inmates are on community service, and they get hurt, would they be covered? Because if you read the language of the contract, they would not be covered. I clarified that with Prime Care, and they would be. If we are supervising the inmates then it would be considered under Prime Care

If inmates on work release are out of the facility and on their own private jobs, would not be covered.

- Daymond stated that he thinks the courts are changing over to their new system in terms of the clerks. Is that going to slow down the process even more? Mr. Albee replied that the change over does not include Superior Court. They are they are combining the clerks for Carroll and Belmont. Major changes are in the Family, District and Probate Court.

Carroll County Commissioners Meeting

Sandi McKenzie Nursing Home Administrator

- This morning our Census is 103 residents 5 Medicare, 25 private pay 71 Medicaid and 2 pending Medicaid.
- Last summer we purchased a bus and it has a defective module under the steering column, at times we are unable to get it out of the park position. It will be covered under warranty; we are able to override the problem and are awaiting a part to come in.
- Fire alarm system problem this week-end. Unfortunately we have to have all of the fire system activated and working well. We have had workmen in the facility over the last couple of days, and they will be back again this morning.
- RSVP which Commissioner Solomon brought up last meeting, I did speak with Bernadine Jessman. Apparently there are a group of volunteers who are called "The Material Girls". They are making lap blankets, and will have a 103 ready when we open our new facility. They wanted to contribute something for each new resident.
- Mr. Litchko will be here tomorrow working with Department Heads tomorrow on the move.
- Furnishing Quotes. Last week I spoke because I had received this document. If you look at our schematic under purchased items that Mountain View would assume, it was budgeted for \$27,200 and brought down to \$ 24,670 and they were able to look at it at \$14,265.79 and we are working now to bring it down further
- Commissioner Sorensen reported that we spoke about the detailed list earlier and \$36,000 is too much for silk flower arrangement. Sandi reported that she and the Director of Nursing went over the list, and obviously we need to have appropriate lamps and lighting. The books and decorative items are not as important. It would be nice to have planters as you walk in. What we brought it down to is the issue of the lamps, and obviously we would like to have a little color as you walk into the room, but that is a matter of taste.
- Our recommendation is to buy the lamps and have some method of color coding as you enter the main entrance. Lamps should be in the elevator lobby, in area where residents will sit and read, activity rooms, etc. We are obligated to make sure there is adequate light to sit in other common rooms. Sandi will work with TMD and just get the lamps that can be approved next week.
- Commissioner Sorensen brought up Kathleen Maloney's question as to whether sandals were appropriate for the Director of Nurses to wear. Discussion ensued. Sandi reported that she would look into the issue and in regard to all dress codes in other County Homes. Discussion ensued and will be followed up.

Page 5

Robin Reade Human Resources

- The Board had asked me to go out to bid for the website, I put an ad in the paper and I received no responses from anyone except Virtual Town Hall. I am asking today that we move forward with upgrading our website using VTH and I would request the Board's approval to do that. We had budgeted \$10,000 when but is not going to be that much. We are looking at \$4225 for actual building of site, \$750 for training and \$2500 for support for first year. It will be prorated as we are half way through the year. They agreed to hold the cost constant at \$2500 for four consecutive years for annual posting and support.

Motion

Commissioner Solomon recommended that we accept the bid from Virtual Town Hall. Commissioner Kenney seconded the motion. All were in favor.

Motion

Commissioner Sorensen made a motion that with the exception of the Human Resource Director, no one will view the personnel records without prior approval and vote of the Board of Commissioners. Commissioner Solomon seconded the motion.

Any further discussion on that motion. Commissioner Kenney asked for an explanation of the motion. Com Sorensen stated that personnel records are not to be viewed by anyone without permission of the person whose records are in there. These are records that are private records. They are only used when there is disciplinary action has to be taken, and I said with the exception of the Human Resource Director, we can still vote to look at a particular personnel record if we have a just cause to do that. When we, as a Board of Commissioners, take disciplinary action in non public sessions, would request that the record be brought to us.

Commissioner Kenney spoke to Robin Reade about the conversation she had with her. She said that Robin had told her that when she got hired in 2007, that it was already voted, that you had that agreement. So why do we have to make a motion and vote on it again. I even asked you to send it me. You sent something to me from 2007 and it wasn't even signed. You couldn't hand it to me because it was on your computer. I don't understand why we have to vote on it again. Commission Sorensen reported that he does not think it was clear and he wanted to clarify this motion,

Mr. Thompson asked if the import of this is that somebody, who is a job applicant for example, can't have their resume' seen by any given Commissioner unless the other Commissioners agree. Commissioner Sorensen stated that when someone is applying for a job, that is separate and the resume' is looked at by everyone. Mr. Thompson' asked if once someone is hired then their personnel file is then closed. That is correct.

Commissioner Sorensen and Commissioner Solomon voted for the motion. Commissioner Kenney abstained. Motion is carried.

June 1, 2011
Page 5

My next motion is to hire a labor attorney to investigate a hostile work environment situation. I cannot go into any details because it is being investigated now and I think we need to have an attorney to give us some guidance and to help investigate the situation to clarify it. We have a Harassment Policy in effect and basically every employee has the right to work in an environment free from harassment. It goes into different types of harassment; sexual, visual retaliation and so forth. I just feel that we need to have an attorney to give us some guidance as to a particular situation that has come about and is being investigated, that I can't talk further about this until the investigation is completed.

Motion

I have a motion and I would like to have a second. Commissioner Solomon seconded the motion.

Commissioner Sorensen replied to Commissioner Kenney's questions, asking do you know who you will be hiring. Do you know what the cost will be? He replied that it will be a labor attorney and I have checked with Betsy Miller, Director of NH Associations of Counties, and she will be giving us a recommendation as who to hire. We don't know what the cost will be, but we do have money in the Commissioner's budget for attorney fees.

Mr. Albee, historically I think we still use Primex for a liability carrier. They have done the preamble to this sort of affair, retraining, counseling, talking to the different parties involved in harassment to try and mitigate the possible damages. Commissioner Sorensen has not talked with Primex direct. My understanding is that we had them lined up to come out and do a training for the Commissioners and any one else. They are not that interested in doing that, but we would use them if we have to in order to find a labor attorney. They will defend the county, but should we sue we need to have an attorney, they are in defense of the County, depending on the outcome of the investigation.

All in those in support of the motion, say I – all were in favor.

Commissioner Sorensen spoke with Commissioner Kenney regarding any particular reason why she is asking for total expenses for the County for 2009. She replied, to see what we are spending. Commissioner Sorensen informed Commissioner Kenney that what she is looking for is a detailed expense account that we give to the Delegation once a year, and it should not be an issue to obtain that information.

Commissioner Sorensen asked Commissioner Kenney if she had a list of the non-public minutes that could be voted upon today, approved and sealed.

Carroll County Commissioners Meeting
June 1, 2011

Page 7

Commissioner Kenney made a motion to approve the non-public minutes of 4/14/11 and keep it sealed. All were in favor of the motion.

Commissioner Sorensen made a motion to approve the non-public minutes of 3/16/11 and keep it sealed. All were in favor of the motion.

Mr. Thompson asked what is the statutory period in which non-public minutes have to be sealed was before they become automatically available to the public. Robin Reade stated out of the "Right to Know" it says a vote to seal the minutes stating justification must occur or else the minutes will have to be released within 72 hours. When were in non-public, we motion to seal the minutes and those are included in the minutes. What we normally do here is that from January to June we go back and the Commissioners review non-public minutes.

Mr. Albee, stated that the issue I have with that format is that there is no public oversight. On the vote to seal, we are just going to have to trust you, and I can do that personally, but I see that as a flaw in the operation.

Commissioner Sorensen stated that we could interpret that any way we want, I would say that once the meeting is held we could seal them at the time and say in public that we sealed them and voted to approve them at our next meeting.

Commissioner Kenney made a motion to adjourn the public meeting at 10:40 a.m. to go into non-public session for a disciplinary matter. This motion was seconded by Commissioner Solomon. Roll Call Vote was taken: Commissioner Sorensen, Commissioner Solomon and Commissioner Kenney agree.

Respectfully submitted,

Sandra Twyon
Recording Secretary