

Sullivan County NH

Type of meeting: Board of Commissioners Public Meeting Minutes

Date/Time: Thursday, April 16, 2009; 3 PM

Place: Unity NH – County Complex, Sullivan County Health Care (SCHC) Facility, 1st Floor, Frank Smith Living Room.

Attendees: Commissioners Jeffrey Barrette - Chair, Bennie Nelson – Vice Chair and Ethel Jarvis - Clerk; Greg Chanis – County Administrator; Ted Purdy – SCHC Administrator, Anne Labelle – SCHC Activities Director; Ross L. Cunningham – Department of Corrections (DOC) Superintendent; High County Sheriff Michael Prozzo (arrived later in meeting); and Sharon Johnson-Callum (minute taker).

Public Attendees: Archie Mountain – Eagle Times Reporter; Suzanne Gottling – State County Delegate District 3; and unidentified female Unity resident.

3:05 The Chair brought the meeting to order. All recited the Pledge of Allegiance.

Agenda Item No. 1 Sullivan County Health Care Administrator's Report

The following was reviewed [Appendix A]:

- March 2009 Medicare, Private, Medicaid, HCBC, Managed Care Census - Positive variance of \$40,740 in Private and \$10,850 in Managed Care, these and other aspects result in a total overall variance of \$19,832.
- Revenue Review thru 3/31/09 – This includes bed tax, includes AAR stimulus package, an increase aid for Medicaid - impact will be seen on all nursing homes in New Hampshire – not just county ones.
- Quarterly Resident Census review; YTD average of beds filled from 7/08 – 3/31/09 is 134.7; average last year was 132.7
- Medicare Length of Stay Analysis
- March '09 Summary Admission / Discharge List for MCD, MRA, and PVT
- March '09 Summary Admission / Discharge List totals for Expired, Home, Hospital and Nursing Home
- 7/01/08 thru 3/31/09 Summary Admission / discharge for HCB, INS, MCD, MRA and PVT
- 7/01/08 thru 3/31/09 Summary Admission / Discharge List total for Unknown, Assisted Living, Expired, Home, Hospital and Nursing Home
- Month-end Aged Analysis (Account Receivables) reviewed: \$584,619.96 total receivables for March '09

Mr. Purdy feels the increase in resident census is a result of a combination of issues:

1. "word" in the community the County nursing home is in the right track,
2. admission areas and providers are happy with the facility, and
3. Lisa Rowland and the admission team are doing a great job.

Mr. Purdy confirmed to Commissioner Nelson, the larger amount he noticed on a PO to the nursing home dentist, can be attributed to an increase in census, as rate is based on patient day.

Agenda Item No. 1.b. Staffing

Staffing increased with ten (10) new LNA's – had one (1) termination. They hired eight (8) new licensed staff- with no terminations. Several new hires are per diem.

Agenda Item No. 1.c. Accounts Receivables

(reviewed in 1.a. above)

Agenda Item No. 1.d. Community Development Update

Mr. Purdy noted staff are still viewing the DVD on culture change at the nursing home; good to use as visual for concepts about culture change and is going well. Commissioner Jarvis noted she viewed it also and briefly discussed a former Unit Aid position.

Agenda Item No. 1.e. Nursing Home Trust Fund vs. Special Fund Clarification

Anne Labelle distributed copies of "Trust Fund Balance Sheet July 1, 2008 through June 30, 2009" [Appendix B], "Trust Fund vs. Special Fund" [Appendix C], and "Proposal" [Appendix D]. She noted when she took over this project a year ago, she had questions in her mind whether the items were wills to trust or not, she did research and found most did not go through probate court, but were donations made in memory of somebody with requests to have funds applied in certain ways. She urged the Board to review the funds they've been reporting to the NH State Attorney General (AG) office as trusts, as she feels it's been reported inaccurately. She noted the Caroline Bailey Fund is the only one she's unable to research back to inception. She noted she introduced this to the Board for several purposes:

- 1) The County should contact the AG's office regarding the issues
- 2) Activities fund was started w/donations from deceased residents through their families, since then, they've received many donations to that fund and she feels those funds should not be part of the operating budget, but accounted as an asset rolled over year to year.
- 3) They'd like to set up a resident account where residents have the say in how monies are spent.

Mr. Chanis reminded the Board, when the County goes into a negative fund balance, they cannot reserve funds to roll over from year to year. Mr. Chanis noted he spoke to County Attorney, Marc Hathaway, who has suggested they gather all information, bring it back to him for review, and he'll contact the AG's office; once they resolve the AG reporting issue, they could then return to the Board for a decision. Mr. Chanis noted these funds reside in Fund 41 expenditure year; if no money is appropriated, it begins at zero (0).

Commissioner Jarvis noted all gifts received should immediately come before the Board and be placed in a trust fund. Ms. Labelle noted Sullivan County is the only facility that does not have a resident council fund; all County nursing homes have one, but they all handle them differently; they basically set up a checking account with the Activities Director and the Resident President – funds come into that account from fund raising and the residents choose how they spend monies. She

could create a policy, and the policy could include stipulations to go before the Board on dollar amounts over a certain amount.

Agenda Item No. 2 DOC Superintendent's Report

Non Agenda Item Request for Transfer of Funds

Supt. Cunningham distributed copies of a Request for Transfer of Funds form [Appendix E] illustrating a transfer of \$3,000 from the Employee Salary 10.600.10001 line to the Overtime (OT) line 10.600.10008. Supt. Cunningham noted over the last two months they've drawn from the OT line as a nurse went out for FMLA, two staff ready to be deployed in September so military has been up doing training with them, two other staff out - one with appendix and the other with heart issue, plus they've had one inmate at Valley Regional Hospital and another in Concord, which Officers have had to do extra traveling with.

3:36 Motion: to approve the transfer [from 10.600.10001 Salary to 10.600.10008 OT in amount of \$3,000].

Made by: Jarvis. Seconded by: Nelson.

Voice vote: All in favor.

3:37 Sheriff Prozzo arrived.

Agenda Item No. 2.a. Census

Supt. Cunningham distributed the inmate census [Appendix F]. Total population in house is 89 vs. 98 one year ago; total overall population is 128 vs. 128 last year. They have 18 on pretrial services.

Agenda Item No. 2.b. Staffing

They have all positions filled with one new officer to begin May 10th.

Non Agenda Item Recovery Act: Assistant to Rural Law Enforcement to Combat Crime and Drugs / Category III Enhancing Rural Corrections, Detention, and Jail Operations - Letters of Support

Supt. Cunningham draft Letters of Support for another grant opportunity [Recovery Act: Assistant to Rural Law Enforcement to Combat Crime and Drugs / Category III Enhancing Rural Corrections, Detention, and Jail Operations]. This is another Federal grant the DOC is applying for. The Board signed the letter.

Non Agenda Item Second Chance Act Grant

The due date for this is Monday, April 20th. Ms. Johnson-Callum has been experiencing registration difficulties at www.CCR.gov, registering the County in order to continue on to the next step, and then to upload the application. The Second Chance Grant application has been ready, from Kevin Warwick, for over seven days to upload, but still we are waiting for the website confirmation. Have worked on the registration issues since April 3rd. The Board suggested sending a memo to the both Senators Shaheen's and Gregg's offices stating "Despite our best efforts, we are experiencing problems with registering" and see if they can help.

Agenda Item No. 3. Sullivan County Administrator's Report

Agenda Item No. 3.a. FY10 Budget Update

Mr. Chanis is finishing up with updates on the spreadsheet the Board has been keeping of changes. The Board will meet again to finalize the budget, then it will be sent onto the EFC.

Agenda Item No. 3.b. SCHC Advisory Panel Update – Tentative Dates

The panels next meeting will be either May 11th or 18th. Still waiting for Commissioner Jarvis an Representative Donavan to respond; then will go with the consensus.

Agenda Item No. 3.c. Community Corrections Center Update

Mr. Chanis noted:

- they are waiting for North Branch's proposed contract to review,
- the drawings for the upgrades are close to completion,
- the engineers are here today,
- work began on the old building, they need to remove loose insulation, and this will be started next week.

Agenda Item No. 3.d. Probable Executive Session Per RSA 91-A:3.II.d. Pending Contract Discussion

This issue was tabled to later in the meeting.

Agenda Item No. 3.e. Firing Range Update

Mr. Chanis noted, for the record, the County previously held discussions with the local sportsman club for a potential long term lease on County property for a collaborative firing range with law enforcement; however, the County Commissioners decided against that, and requested the Sheriff to speak today regarding the next steps. Mr. Chanis noted, as part of the CCC construction process, they will generate fill, which can be used for berms for the firing range. Sheriff noted the Town of Washington has allowed them to use their land fill for shooting practice to qualify – but only sparingly; this is a great opportunity to use the fill produced from the new CCC construction; the proposed firing range would not be as big as the one the Board viewed from the sportsman club – it would be large enough to accommodate 4 to 6 personnel at a time, range usage would be done through a sign in sheet at the Sheriff's Office, it would not be used every day, weekend, and month; they do need to qualify each year and typically do so May thru. July; law enforcement from 14 towns and 1 city would be using it only, Sheriff's Office and DOC Officers.

Commissioner Jarvis noted the site plan should be reviewed by Unity Planning Board. Commissioner Nelson reminded the group County Attorney Hathaway had advised they don't need approval, but to just bring the project to the attention of the town. Jarvis and Nelson concurred on scheduling an appointment to provide information to the Town Planning Board. Commissioner Barrette noted he did not like the previous proposed area, up by the State salt sheds, as it was a less secure area. He invited the Sheriff to take the site plan, scale it down, and have Mr. Chanis check with the County Attorney on what they need to do to take the courteous path with the Town of Unity. Sheriff confirmed officer qualification usually takes one (1) hour per officer; he expects the range to be 50 yards across and 50-70 yards down the side, plus the width of the berms. Commissioner Nelson and Jarvis debated how the use of this as firing range would effect the "current use" status and tax ramifications. The group will receive updates on this project at the 5/7/09 Board meeting.

Agenda Item No. 4. Commissioners Report

Commissioner Barrette noted the FY10 budget process is going well and he anticipates no major surprises. They have scheduled budget reviews April 20th at 8:30 a.m.

Wed. Apr. 22nd 5 PM – Commissioners will attend the Grantham Town Select Board meeting.

Fri. Apr. 18th 8:30 – The Board is scheduled to review the SCHC FY10 Budget Friday.

Agenda Item No. 5. Public Participation

Archie Mountain – Eagle Times reporter asked if anyone remembered when the Sullivan County Health Care had been in the black, previously? Mr. Chanis pointed out, when Mr. Purdy noted it was a positive variance, this is compared to budget, and does not take into consideration the 1 million amount; it illustrates we are exceeding budgeted revenue by \$55,000+, and under expenditure budget.

Female Unity Resident – Questioned who would be using the firing range. It was noted this would be for law enforcement agencies within Sullivan County only: police departments, Sheriff's staff and DOC officers, predominately used Mondays and Fridays. The Unity resident feels confident the Unity site could be monitored better than the other proposed site by the salt sheds. Commissioner Jarvis concurred in that she feels the firing range at the nursing home site will have minimal impact on neighbors.

Agenda item No. 6. Meeting Minutes Review

Agenda item No. 6.a. 3/26/09 Special Meeting Minutes – Public / Executive Session

**4:11 Motion: to accept the 3/26/09 minutes as printed.
Made by: Nelson. Seconded by: Jarvis.
Voice vote: All in favor.**

Agenda Item No. 6.b. 4/2/09 Public Meeting Minutes

**4:11 Motion: To approve the 4/2/09 minutes as printed.
Made by: Nelson. Seconded by: Jarvis.
Voice vote: all in favor.**

Agenda Item No. 6.c. 4/2/09 3:34 PM Executive Session Meeting Minutes

**4:12 Motion: to approve and release the 4/2/09 3:34 PM Executive Session Minutes.
Made by: Jarvis. Seconded by: Nelson.
Voice vote: All in favor.**

Agenda Item No. 6.d. 4/2/09 3:45 PM Executive Session Meeting Minutes

**4:13 Motion: to approve the 4/2/09 3:45 PM Executive Session meeting minutes, and leave them sealed until settlement of issue.
Made by: Nelson. Seconded by: Jarvis.
Voice vote: All in favor.**

Agenda Item No. 6.e. 4/2/09 3:54 PM Executive Session Meeting Minutes

**4:14 Motion: to approve and release the 4/2/09 3:54 PM Executive Session minutes.
Made by: Nelson. Seconded by: Jarvis.
All in favor.**

Agenda Item No. 3.d. Executive Session Per RSA 91-A:3.II.d. Pending Contract Discussion

**4:16 Motion: to go into executive session per RSA 91-A:3.II.d. to discuss a pending contract.
Made by: Jarvis. Seconded by: Nelson.
Those in Executive Session are: the three Commissioners, County Administrator, Supt. Of Corrections, Ms. Johnson-Callum and Ken Holmes of North Branch Construction – the new Community Corrections Center Construction Manager.
Roll call vote: All in favor.**

4:20 At this point, SMP representatives, Eric Palson AIA President, Chris Lizotte AIA, NCARB Vice President, and Anthony Mento Senior Designer / Project Manager, were invited into the Executive Session.

5:26 *The SMP team left the room.*

**5:29 Motion: to come out of Executive Session.
Made by: Jarvis. Seconded by: Nelson.
Voice vote: All in favor.**

**5:30 Motion: to adjourn.
Made by: Nelson. Seconded by: Jarvis.
Voice vote: All in favor.**

Respectfully submitted,



Ethel Jarvis, Clerk
Board of Commissioners

EJ/s.j-c.

Dated: 5-7-09



Sullivan County NH, Board of Commissioners
Business Meeting

Thu. Apr. 16, 2009

Place: Unity County Complex – Sullivan County Health Care Facility
5 Nursing Home Drive, Unity 03743

AGENDA

- 3:00 PM – 3:20 PM 1. Sullivan County Health Care Administrator's Report**
- a. Census
 - b. Staffing
 - c. Accounts Receivables Update
 - d. Community Development Update
 - e. Nursing Home Trust Fund vs. Special Fund Clarification
 - f. Resident Council Fund
- 3:20 PM - 3:40 PM 2. D.O.C. Superintendent's Report**
- a. Census
 - b. Staffing
- 3:40 PM – 4:00 PM 3. Sullivan County Administrator's Report**
- a. FY10 Budget Update
 - b. Sullivan County Health Care Advisory Panel Update
 - o Tentative dates 5/11/09 or 5/18/09 – awaiting feedback from panel members
 - c. Community Corrections Center Update
 - d. Probable Executive Session Per RSA 91-A:3.II.d. Pending Contract Discussion
 - e. Firing Range Update
- 4:15 PM – 4:35 PM 4. Commissioners' Report**
- 4:35 PM – 4:50 PM 5. Public Participation**
- 4:50 PM – 4:55 PM 6. Meeting Minutes Review**
- a. 3/26/09 Special Meeting Minutes – Public/Exec Session
 - b. 4/2/09 Public Meeting Minutes
 - c. 4/2/09 3:34 PM Executive Session Meeting Minutes
 - d. 4/2/09 3:45 PM Executive Session Meeting Minutes
 - e. 4/2/09 3:54 PM Executive Session Meeting Minutes
- 4:55 PM 7. Adjourn meeting**

The times reflected on this agenda, other than the start time, are estimates. Actual time will depend on level of interest and participation.



Upcoming Events/Meetings:

- **Apr. 22nd Wed.** **Grantham Town Meeting - Commissioner Chair attending**
 - **Time: 5 PM**

- **May 7th Thu.** **Next Board of Commissioners Meeting**
 - **Time: 3 PM**
 - **Place: Newport, 14 Main Street - Remington Woodhull County Complex**

MEDICARE							
	March 2008 COMPARE	March 2008 AVG. CENSUS	March 2009 Actual	MARCH 2009 AVG DAILY CENSUS	BUDGETED	BUDGETED AVG CENSUS	VARIANCE
CENSUS:	350	11	286	9	403	13	-117
REVENUE	\$179,086.52		\$147,829.46		\$173,290.00		-\$25,460.54
AVERAGE RATE PER DAY	\$511.68		\$516.89		\$430.00		\$86.89

PRIVATE							
	March 2008 COMPARE	March 2008 AVG. CENSUS	March 2009 Actual	MARCH 2009 AVG DAILY CENSUS	BUDGETED		VARIANCE
CENSUS:	651	21	787	25	589	19	198
REVENUE	\$128,235.00		\$161,485.00		\$120,745.00		\$40,740.00
AVERAGE RATE PER DAY	\$196.98		\$205.19		\$205.00		\$0.19

MEDICAID							
	March 2008 COMPARE	March 2008 AVG. CENSUS	March 2009 Actual	MARCH 2009 AVG DAILY CENSUS	BUDGETED		VARIANCE
CENSUS:	3,127	101	3,232	104	3,255	105	-23
REVENUE	\$471,895.57		\$491,490.24		\$491,212.05		\$278.19
AVERAGE RATE PER DAY	\$150.91		\$152.07		\$150.91		\$1.16

HCBC (RESPITE)							
	March 2008 COMPARE	March 2008 AVG. CENSUS	March 2009 Actual	MARCH 2009 AVG DAILY CENSUS	BUDGETED		VARIANCE
CENSUS:	0	0	0	0		0	0
REVENUE	\$0.00		\$0.00		\$424.66		-\$424.66
AVERAGE RATE PER DAY	\$0.00		\$0.00		\$0.00		\$0.00

MANAGED CARE							
	March 2008 COMPARE	March 2008 AVG. CENSUS	March 2009 Actual	MARCH 2009 AVG DAILY CENSUS	BUDGETED		VARIANCE
CENSUS:	0	0	31	1		0	31
REVENUE	\$0.00		\$10,850.00				\$10,850.00
AVERAGE RATE PER DAY	\$0.00		\$350.00				\$350.00

	March 2008 COMPARE		March 2009 Actual				
TOTAL CENSUS	4,128		4,336				
AVERAGE CENSUS		133.2		139.9			137.0

MEDICARE B REVENUE							
	March 2008 COMPARE		March 2009 Actual		BUDGETED		VARIANCE
	\$37,045.07		\$30,868.53		\$37,019.27		-\$6,150.74

TOTAL MONTHLY REVENUE VARIANCE	\$19,832
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TOTAL REVENUE YTD SURPLUS/SHORTFALL	\$55,304
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Revenue Review thru 03/31/2009

	Budget	274 Days 9 mth Budget	YTD	Variance
Medicaid	5,783,625	4,341,680	4,275,895	(65,785)
Private	1,421,675	1,067,230	1,300,685	233,455
Insurance	-	-	60,080	60,080
Respite (HCBC)	5,000	3,753	3,046	(707)
Medicaid Assess	1,631,068	1,223,301	1,342,208	118,907
Medicare Part B (Total)	435,872	327,203	296,286	(30,916)
Medicare Part A	2,040,350	1,531,660	1,271,931	(259,729)
Net Variance				55,304
Misc Income	-	-	12,636	12,636
Laundry	70,000	52,548	47,898	(4,650)
Cafeteria	12,000	9,008	11,008	2,000
Meals	371,664	279,003	282,356	3,353
YTD Variance			8,904,030	68,644

Based on 3 qtrs (includes 36,796 for ARRA09)

Does not include Proshare payment (expected June09)

Sullivan County Nursing Home
Quarterly Resident Census

	TOTAL DAYS	MEDICAID		PRIVATE		SKILLED		HCBC		MANAGED		LEAVE		TOTAL DAYS	
	AVAILABLE	DAYS		DAYS		DAYS		RESPITE		CARE		DAYS		FILLED	
Jul-08	4836	2898	72.22%	763	19.01%	348	8.67%	4	0.10%	0	0.00%	0	0.00%	4013	82.98%
Aug-08	4836	3096	76.41%	650	16.04%	286	7.06%	12	0.30%	8	0.20%	0	0.00%	4052	83.79%
Sep-08	4680	2976	75.04%	634	15.99%	319	8.04%	1	0.03%	36	0.91%	0	0.00%	3966	84.74%
1ST QUARTER	14,352	8,970	74.56%	2,047	17.01%	953	7.92%	17	0.14%	44	0.37%	0	0.00%	12,031	83.83%
Oct-08	4836	3148	75.82%	623	15.00%	353	8.50%	0	0.00%	28	0.67%	0	0.00%	4152	85.86%
Nov-08	4680	3064	77.45%	633	16.00%	226	5.71%	3	0.08%	30	0.76%	0	0.00%	3956	84.53%
Dec-08	4836	3235	77.10%	717	17.09%	222	5.29%	0	0.00%	22	0.52%	0	0.00%	4196	86.77%
2ND QUARTER	14,352	9,447	76.78%	1,973	16.03%	801	6.50%	3	0.02%	80	0.65%	0	0.00%	12,304	85.73%
Jan-09	4836	3246	76.04%	714	16.73%	309	7.24%	0	0.00%	0	0.00%	0	0.00%	4269	88.28%
Feb-09	4368	2924	73.58%	709	17.84%	321	8.08%	0	0.00%	20	0.50%	0	0.00%	3974	90.98%
Mar-09	4836	3232	74.54%	787	18.15%	286	6.60%	0	0.00%	31	0.71%	0	0.00%	4336	89.66%
3RD QUARTER	14,040	9,402	74.74%	2,210	17.57%	916	7.28%	0	0.00%	51	0.41%	0	0.00%	12,579	89.59%
Apr-09			#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
May-09			#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
Jun-09			#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
4TH QUARTER	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
FY '09 TOTAL	42,744	27,819	75.36%	6,230	16.88%	2,670	7.23%	20	0.05%	175	0.47%	0	0.00%	36,914	86.36%
YTD AVG.		101.5		22.7		9.7								134.7	

RESIDENT CENSUS - FY 08

	TOTAL DAYS	MEDICAID		PRIVATE		SKILLED		HCBC		PRIVATE		LEAVE		TOTAL DAYS	
	AVAILABLE	DAYS		DAYS		DAYS		RESPITE		RESPITE		DAYS		FILLED	
1ST QUARTER	14,352	9,823	80.70%	1,489	12.23%	854	7.02%	6	0.05%	0	0.00%	0	0.00%	12,172	84.81%
2ND QUARTER	14,352	9,273	75.43%	1,560	12.69%	1,435	11.67%	9	0.07%	0	0.00%	3	0.02%	12,293	85.65%
3RD QUARTER	14,040	9,231	76.08%	1,821	15.01%	1,081	8.91%	0	0.00%	0	0.00%	0	0.05%	12,133	86.42%
4TH QUARTER	14,196	8,761	74.11%	2,054	17.38%	986	8.34%	20	0.17%	0	0.25%	0	0.00%	11,821	83.27%
FY '08 TOTAL	57,096	37,088	76.60%	6,924	14.30%	4356	9.00%	35	0.07%	0	0.06%	3	0.02%	48,419	84.80%
AVGERAGE		101.6		19.0		11.9								132.7	

Medicare Length of Stay Analysis
Sullivan County Health Care (SC)

	Mar 2009	Feb 2009	Jan 2009	Dec 2008	Nov 2008	Oct 2008	Sep 2008	Aug 2008	Jul 2008	Jun 2008	May 2008	Apr 2008	12 Mos.	Calendar YTD
Total Admits & Readmits (All payer types)	16	17	16	13	11	14	12	14	15	11	12	11	162	49
MCR # Admits & Readmits	12	5	10	6	7	8	8	7	8	6	9	5	91	27
MCR # Discharges from facility	5	1	4	2	2	3	6	3	2	3	2	4	37	10
MCR Discharged LOS	21.8	14.0	35.0	25.0	53.5	15.3	30.5	12.3	9.0	45.3	51.5	36.8	29.5	26.3
MCR # End or A/R Change	8	8	3	2	6	3	5	5	7	2	4	5	58	19
MCR End or A/R Change LOS	51.6	36.9	26.0	65.5	51.2	63.7	42.2	65.0	55.4	41.0	52.0	77.2	52.0	41.4
Total Average MCR LOS	40.2	34.3	31.1	45.3	51.8	39.5	35.8	45.3	45.1	43.6	51.8	59.2	43.2	36.2
Total MCR Days	286	321	309	222	226	353	319	286	348	306	328	300	3604	916
Rehab RUGs	283	309	263	204	207	299	269	244	268	254	316	265	3181	855
% of Total MCR Days	99%	96%	85%	92%	92%	85%	85%	86%	77%	83%	96%	88%	88%	93%
Non-Rehab RUGs	3	12	46	18	19	54	46	41	80	52	12	35	418	61
% of Total MCR Days	1%	4%	15%	8%	8%	15%	15%	14%	23%	17%	4%	12%	12%	7%
Default Days														
% of Total MCR Days														
A ADL (low dependency)	48	53	42	50	59	77	81	77	53	43	78	101	762	143
% of Total MCR Days	17%	17%	14%	23%	26%	22%	26%	27%	15%	14%	24%	34%	21%	16%
B ADL (medium dependency)	103	202	214	165	104	167	150	79	125	31	52	91	1483	519
% of Total MCR Days	36%	63%	69%	74%	46%	47%	48%	28%	36%	10%	16%	30%	41%	57%
C ADL (high dependency)	135	66	53	7	63	109	84	129	170	232	198	108	1354	254
% of Total MCR Days	47%	21%	17%	3%	28%	31%	27%	45%	49%	76%	60%	36%	38%	28%
Medicare Net Revenue	\$ 147,829	\$ 164,585	\$ 146,885	\$ 110,110	\$ 118,325	\$ 173,813	\$ 140,739	\$ 127,743	\$ 158,726	\$ 142,666	\$ 155,864	\$ 140,232	\$ 1,727,516	\$ 459,299

Note: This report includes only the selection criteria listed below.
 Effective Date From 3/1/2009 Thru 3/31/2009

APPENDIX A.5.

Summary Admission / Discharge List

Sullivan County Health Care (SC)

Page 1 of 1
 04/14/2009 10:51 AM
 RI6300B

<i>A/R Type</i>	<i>From/To</i>	<i>Admissions</i>	<i>Discharges</i>
MCD	Expired		4
	Home	1	
	Hospital	1	5
	<i>MCD Subtotal</i>	<u>2</u>	<u>9</u>
MRA	Expired		1
	Home	1	3
	Hospital	9	1
	Nursing Home	2	
	<i>MRA Subtotal</i>	<u>12</u>	<u>5</u>
PVT	Nursing Home	2	
	<i>PVT Subtotal</i>	<u>2</u>	<u></u>
<i>Total</i>		<u>16</u>	<u>14</u>

Note: This report includes only the selection criteria listed below.
 Effective Date From 3/1/2009 Thru 3/31/2009

Summary Admission / Discharge List Totals

Sullivan County Health Care (SC)

Page 1 of 1
 04/14/2009 10:51 AM
 RI6300C

<i>Total From/To</i>	<i>Admissions</i>	<i>Discharges</i>
Expired		5
Home	2	3
Hospital	10	6
Nursing Home	4	
	<i>Total</i>	
	16	14

Note: This report includes only the selection criteria listed below.
 Effective Date From 7/1/2008 Thru 3/31/2009

APPENDIX A.7

Summary Admission / Discharge List

Sullivan County Health Care (SC)

Page 1 of 1
 04/14/2009 11:09 AM
 RI6300B

<i>A/R Type</i>	<i>From/To</i>	<i>Admissions</i>	<i>Discharges</i>
HCB	Home	4	3
	Hospital		1
	<i>HCB Subtotal</i>	<u>4</u>	<u>4</u>
INS	Expired		1
	Home	1	2
	Hospital	5	2
	<i>INS Subtotal</i>	<u>6</u>	<u>5</u>
MCD	Unknown	1	
	Assisted Living	1	1
	Expired		16
	Home	8	5
	Hospital	17	33
	Nursing Home	3	1
<i>MCD Subtotal</i>	<u>30</u>	<u>56</u>	
MRA	Unknown		1
	Expired		3
	Home	2	14
	Hospital	66	11
	Nursing Home	3	1
<i>MRA Subtotal</i>	<u>71</u>	<u>30</u>	
PVT	Assisted Living	2	1
	Expired		6
	Home	7	6
	Hospital	1	2
	Nursing Home	7	1
<i>PVT Subtotal</i>	<u>17</u>	<u>16</u>	
<i>Total</i>		<u>128</u>	<u>111</u>

Note: This report includes only the selection criteria listed below.
Effective Date From 7/1/2008 Thru 3/31/2009

APPENDIX A.8.

Summary Admission / Discharge List Totals

Sullivan County Health Care (SC)

Page 1 of 1
04/14/2009 11:09 AM
RI6300C

<i>Total From/To</i>	<i>Admissions</i>	<i>Discharges</i>
Unknown	1	1
Assisted Living	3	2
Expired		26
Home	22	30
Hospital	89	49
Nursing Home	13	3
<i>Total</i>	<u>128</u>	<u>111</u>

Month-end Aged Analysis
 Sullivan County Health Care (SC)
 For the Month of Mar, 2009

Accounts Receivable

Appendix A9

← 2008

Resident (Res #)(Discharge Date)

Type Balance	Mar	Feb	Jan	Dec	Nov	Oct	Sep	Aug	Jul	Jun	May	Apr	Mar	Balance
Aged Analysis Summary														
HCB					160.32-		160.32	320.64-	641.28	1,282.56			514.50	2,117.70
INS	27,879.54	18,307.75	9,228.15	11,091.07	11,421.47	19,012.45	19,111.86	3,958.45	3,345.70	2,578.96	8,447.25	16,890.96	87,326.87	238,600.48
MCD	399,028.59	22,800.26	16,380.80	9,724.69	5,831.31	4,372.24	4,838.65	7,683.76	612.98-	1,044.89	5,285.78	5,884.64	111,747.32	594,009.95
MCP														
MRA	122,197.46	967.92	17,036.30	512.00-	128.00-	384.00-	2,511.65	6,527.59	2,090.85	7,021.57	14,932.49	3,089.98	16,831.74	192,183.55
MRB	24,088.88	7,036.91	12,464.81	4,450.65	4,432.39	5,381.54	21,068.93	14,059.16	9,658.69	11,110.48	15,196.24	11,621.84	112,361.97	252,932.49
MXA	6,060.50	10,255.06	393.14	2,504.00	2,560.00	1,273.14	7,116.42	8,149.36	9,154.28	8,500.50	6,346.04	1,792.00	51,588.79	115,693.23
MXB	3,926.34	1,640.41	863.55-	1,374.60-	911.98	1,291.96	3,475.23	1,103.76	5.07	334.34-	1,362.31	1,549.87	23,545.93	36,240.37
PVT	22,279.01-	101.29-	4,113.74-	1,419.37-	2,347.27	8,728.00	33,375.80	4,539.28	2,768.95-	20,732.46	3,583.46	10,449.00	12,579.30	65,652.21
RES	22,960.38	6,231.81	8,508.99	829.13	3,458.09	3,070.07	839.64	15,421.02-	2,093.30-	112.93	4,163.32	4,242.88-	14,770.30-	13,646.86
PHC													375.00-	375.00-
HST	757.28	713.37	81.78	206.90	726.40									2,485.73
Totals:	584,619.96	67,852.20	59,116.68	25,500.47	31,400.59	42,745.40	92,498.50	30,279.70	19,420.64	52,050.01	59,316.89	47,035.41	401,351.12	1,513,187.57
	38.63%	4.48%	3.91%	1.69%	2.08%	2.82%	6.11%	2.00%	1.28%	3.44%	3.92%	3.11%	26.52%	100.00%

Trust Fund vs. "Special Fund"

4/4/96 The Charles Hatch Trust Fund was filed in the Probate Court. SCNH, only one of several beneficiaries, was awarded yearly payments of 10% the available funds until the final trust distribution on 8/18/99 in the amount of \$3,728.05. (There were no restrictions on the Charles Hatch Trust Fund according to Trustee Michael J. Work.)

The Funds awarded to SCNH from the Charles Hatch Trust Fund were placed in the "Special Fund" called the Equipment Fund.

The Equipment Fund was established originally for the purpose of raising money to purchase a circle electric bed for Maxine Barnard. Additional monies from this fund were to be used for purchasing equipment that the County did not fund.

1. Passbook savings account at CSB #27555 was original document
2. Passbook savings closed and checking acct 56500472 opened
3. 4/17/98 checking acct. closed and statement savings at CSB #56500472 opened.

2001 The Resident Store Special Fund was established from a \$10,000 grant from N.H. Charitable Foundation.

Activity Special Fund was started with money raised by the Activity Department. "This money is to be used at the discretion of the Activity Department for the purchase of supplies, materials, programs, etc. that are not purchased through the county Budget for the benefit of the residents."

1. Minutes 2/22/90 Peter Lovely motioned to close out the Ernest Russel Fund and David Miller Jr. Fund and move the balance of Funds to the Activity Fund. This was unanimously passed by Commissioner Ken MacAskill, Delegation Representative Dick Breed, Treasurer Omer Ahern, Peter Lovely, and Robert Hemenway.
2. Minutes 8/22/02 Mr. Hemenway clarified Activities and Vending Fund accounts are controlled by the Nursing Home, not the Commissioners. Present were Commissioner Rudy Adler, Commissioner Don Clarke, Ed Gil de Rubio, Robert Hemenway, Peter Lovely, Connie Jones, and Julie Woodman.

Hospice Special Fund was started on 4/27/04 from Memorial contributions for the purposes of assisting residents who are dying and their family members.

1. Minutes 8/6/04 Hospice Fund was accepted and bank account at CSB was established. Signatures on account were Julie Woodman, Robert Hemenway, Susan Bouranis, and Ben Nelson.

Caroline Bailey Fund was started with money that was left to the County by her estate in the amount of \$19,933.77. There was \$2,000 added in June of 1984 from money that was left to the county home in memory of Florence S. Brower estate. The fund was started for the benefit of the residents.

1. Minutes of 2/22/90 Omer Ahern moved to place the dividends received from Carolyn J. Bailey Fund into a separate bank account at Claremont Savings Bank rather than roll over into the principal. This was unanimously passed by all present including Peter lovely, omer Ahern, Ken MacAskill, Dick Breed, and Robert Hemenway.
2. No further mention is made of this account.

Alice Ungren Fund This was believed to be a trust fund, but in fact it is not. It was established with a gift of \$3,000 from John Paulding Brown as a memorial to Alix Ungren. The intent of the gift was "Expenditures can be made to provide for the purchase of materials and supplies used in projects carried on by the interested organizations and person in the nature of recreational and occupational therapy designed to aid residents. The Fund is to be administered by the Superintendent of the County home and to remain free of control by the county Commissioner of Sullivan County".

1. 8/22/02 Minutes peter lovely motioned to move the restricted \$3,000 out of passbook savings and place in 5 year CD effective 9/1/02. Unanimously passe4d and CD was opened at Laconia Savings Bank on 9/11/02 # 2000684.

Elsie Hardison Fund The money raised from the Estate of Elsie Hardison was donated to the Superintendent of the Sullivan County Home or his successor in the office of Unity, NH. "\$1,000 was to be held in trust for the purposes that in each year on December 1st, the Superintendent disburse the income to and among the needy and worthy patients at said Sullivan County Home." This is a restricted Fund, but again, there is no documentation of a trust, only a donation with specific guidelines.

Book Fund This was established on 5/17/88 from a donation in memory of Leola L. powers by her son, Len Powers . A \$1,000 donation was placed in a CD. This is not a true trust fund. It was a donation with a requested suggestion that the "interest from the CD be used for reading materials for older residents of the County Home".

Vending Fund was started with money received from the Vending Machines at the nursing home. The money received is to be used for the benefit of employees.

Proposal

1st Proposal:

Moving towards Resident Focused Care and Culture Change, it is our request that the Commissioner's approve of the addition of a new "Resident Council Bank Account". The purpose of this fund is to allow residents to dictate how the monies are spent to improve their quality of life through a majority rule during resident council meetings. Funds for these accounts are not to be provided by the County taxpayers; however, funds donated in memory of a deceased resident member would be deposited into this bank account.

The Resident Council Bank Account, if approved, should be added as an asset in the County Budget and not as line in the operating budget so that funds may roll over from year to year regardless of funding status of the County Budget.

The Resident Council Bank Account would be reconciled monthly, much like the resident trust fund is done.

If approved by the Commissioner's, Ann Shepherd, Director of Activities, will request the Trust Fund Committee to terminate some funds that were thought to be "Trust Funds", but in fact are not.

2nd Proposal:

Attached you will find a description of the "trust funds" or "special funds" that have been created over the years. In 2003 bank accounts for the Hospice Fund, Activity Fund, and Resident Store Fund were closed and the monies were absorbed into the operating budget. Technically these funds were being run as trust funds through the trust committee. The Resident Store Fund was established from a Grant through the NH Charitable Foundation in 2001. The Activity Fund was established from fund raising activities sponsored by the Activity Department, and the Hospice Fund was established on 4/27/04 from donations from staff and family members to assist residents and family members through the dying process. Each of these funds was created out of the donations and hard work of the staff and community members of the facility. I would like to request that the following amounts, from the Activity Fund and the Hospice Fund, which should have been carried over year to year, be donated to the Resident Council Bank Account. This will mean having to transfer funds from the operating budget to do so.

I can't stress how important it is, now that we are doing so well and are receiving praise in the community, for us to show that donated funds are used for the residents as they were expected to be and not for the purpose of offsetting a County deficit.

Attached is a balance sheet of each of these trust funds and the amount I am requested be donated to the Resident Council Bank Account:

Activity Trust Fund

	Budgeted		Actual	
	Revenue	Expenditure	Balance	Date of Requisition/Purchase
Beginning Balance	1,200.00	1,200.00	\$1,772.24	New Fiscal Year Balance 7/1/08
9/9/2008	10.00		1,782.24	memory of Earl Carr from JR LaPointe
9/4/2008	50.00		1,832.24	Memory of Earl Carr from Donald Bailey
9/8/2008	55.00		1,887.24	memory of Earl Carr from Christine Ellsworth
11/18/2008	45.00		1,932.24	Memory of Greta Hewlett from Ray Davis Jr.
12/1/2008	100.00		2,032.24	Memory of Earl Carr from Milne
12/22/2008		36.02	1,996.22	Reimburse Ashepherd Resident Christmas gifts
12/16/2008		23.00	1,973.22	Reimburse Ashepherd Resident Christmas gifts
11/17/2008		14.95	1,958.27	Reimburse Ashepherd Resident Christmas gifts
12/4/2008		42.91	1,915.36	Reimburse Ashepherd Resident Christmas gifts
1/8/2009		65.00	1,850.36	Reimburse Ashepherd Holiday Resident Decorations
12/30/2008		31.00	1,819.36	Reimburse Ashepherd Valentine Resident Holiday Etc.
12/5/2008	0.47		1,819.83	
12/22/2008	150.00		1,969.83	Memory of Marion Pelton
12/29/2008	80.00		2,049.83	Memory of Marion Pelton
12/31/2008	25.00		2,074.83	Memory of Marion Pelton
2/1/2009		35.96	2,038.87	Walmart
1/30/2009	20.00		2,058.87	Wendy Kristl donation
2/9/2009		167.11	1,894.76	Home Depot (Library renovation)
2/25/2009	110.00		2,001.76	Donation in Memory of Eleanor Breed from Peterson, Wood
2/23/2009	35.00		2,036.76	Donation in Memory of Eleanor Breed from E. Parmelee
3/4/2009	25.00		2,061.76	General donation from Union Episcopal Church
3/12/2009		15.51	2,046.25	McDonalds, KFC, Resident Rm renovation meals
3/2/2009	100.00		2,146.25	Donation in Memory of Eleanor Breed from A. Sloan
3/3/2009	50.00		2,196.25	Donation in Memory of Eleanor Breed from D. Bauver
2/17/2009	25.00		2,221.25	Donation in memory of Eleanor Breed from E. Damren
2/27/2009	50.00		2,271.25	Donation in Memory of Eleanor breed from C. Bennett
3/13/2009	10.00		2,281.25	Donation in Memory of Eleanor Breed from C. Kowalczyk
3/13/2009	50.00		2,331.25	Donation in Memory of Eleanor Breed from R. Ryan
3/17/2009	50.00		2,381.25	Donation in Memory of Alice Davis from A. Fowler
3/17/2009	30.00		2,411.25	Donation in Memory of Alice Davis from H. Williams III
3/20/2009	25.00		2,436.25	Donation in Memory of Alice Davis from R. Patterson
3/20/2009	25.00		2,461.25	Donation in Memory of Alice Davis from E. Morse
4/1/2009		66.79	2,394.46	Planet Earth Social (Walmart snacks, and DVD's)

Hospice Fund

Established 2004	SCHC Hospice	Active	Bank	100	\$2,622.82
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FY '08 SULLIVAN COUNTY HEALTH CARE TRUST FUND REPORT

For a total amount of \$5,017.28

COPY
APPENDIX E.

REQUEST FOR TRANSFER OF FUNDS

DEPARTMENT: _____ DOC _____

DATE: 4/16/09 4/16/2009

	Account description	Account Number	Transfer From (Credit)	Transfer To (Debit)	Purpose of Transfer
1	Employee Salary	10600.10001	\$3,000.00		Averaging \$1007 in OT per payroll. As of today our OT balance is \$3861. With 5 payrolls left at \$1007 per pp, we will exceed our balance without the transfer.
	Overtime	1060010008		\$3,000.00	
2					
3					
4					
5					
6					

[Signature] 4/16/09
Dept. Head / Date

[Signature] 4/16/09
County Administrator / Date (when applicable)

[Signature] 4/16/09
Commissioner Chair / Date

N/A as under \$5,000
Executive Finance Committee Chair / Date

To increase budget, you debit the account. To decrease, you credit the account.

4/16/2009

Original to Accounting, CC/FEC

To: Supt. Cunningham
 From: Lt. Roberts
 Ref: population Breakdown

Thursday April 16, 2009

POPULATION DATA:

House of Corrections	Pre-Trial Inmates	Protective Custody
Male - 40	Male - 35	Male - 0
Female - 5	Female - 9	Female - 0

THU- Included in the total of HOC male inmates above

Male- 15
 Female- 0

Total Population (In House) - 89

Total Population April 16, 2008 (in House) 98

Home Confinement/EM

Weekender

Merr County

Male - 5
 Female - 5

Male - 1
 Female - 2

Male- 4
 Female- 2

NHSP/SPU

Grafton County
 Admin Transfer

Cheshire County
 Admin Transfer

Male - 7
 Female - 0

Male - 1
 Female - 1

Male - 1
 Female - 3

Hillsborough County
 Admin Transfer

Phoenix House/Farn/frien

Strafford Cnty

Male - 3
 Female - 0

Male - 1
 Female - 1

Male- 1
 Female- 0

Belknap County

Carroll County

VRH

Male- 0
 Female- 0

Male- 1
 Female- 0

Male- 0
 Female- 0

Total Census - 128

Total Census April 16, 2008- 128

Temp Hold for other jurisdictions- Included in the above in house Total population

NHSP

Merrimack County

Carroll County

Cheshire

Male- 1

Male- 0

Male- 0

Male- 1

Female- 0

Female- 0

Female-0

Female-1

Pre-Trial Services- 18

Male- 10

Female- 8

April 13, 2009

Mr. Greg Chanis
Sullivan County Administrator
Sullivan County Board of Commissioners
14 Main Street
Newport, NH 03773



Dear Greg:

We are pleased to provide the following services per our meeting last week for the Community Corrections Center.

Project scope:

The new Community Corrections Center will be located at the Sullivan County Complex in Unity, NH. The Center will be approximately 14,500 SF (68 bed) and will house minimum security offenders and include additional space for offices and support services. The project budget is \$5,597,760 and you would like the Center to be up and running by July of 2010. This new building could be a stand-alone structure or attached to the current Corrections Facility. Our meeting last week seemed to indicate that an attached Center might be the most advantageous for the following reasons:

- Reduced staffing due to one building versus two.
- Attached Center reinforces treatment flow through entire facility.
- Sprinkler room could be located in the new Center wing which is closer to the existing fire suppression site loop.
- Existing boilers in the current Corrections Facility can serve the new Center wing.
- A new Center wing addition would allow for the existing dayroom and restroom/showers to receive needed upgrades not currently in the Corrections Facility renovation project.
- Cost savings could be achieved due to economies of scale with both projects combined with a single CM, especially if the Center design commences right away.

Our design team would be best suited to help you and the County on this project for the following reasons:

- The current design team (WV Engineering, SMP Architecture, Steffensen Engineering) are already under contract for the renovations to the current Corrections Facility and the work is underway. WV Engineering has provided HVAC design services to the County in the past.
- Our design team would be expanded to include Erin Darrow (civil engineer) and Dexter Burley (landscape architect), both of whom have worked for the County on this site.
- The design team could start work immediately since we are already familiar with the site and design issues. This would translate into time savings since we could have the Center design complete for bidding with the CM sooner, start construction sooner and minimize winter conditions costs.
- The same design team would be accountable for both projects, same as with a single CM, especially if the new Center is attached to the current facility.
- As I understand it North Branch Construction has been hired as the CM. We have worked with them on past projects very successfully, including a 19,000 SF second floor addition with the building occupied below.

Eric Palson AIA
President

Christopher Lizotte AIA NCARB
Vice President

- We have significant experience with sustainable design. We designed the new wing for NH Audubon in Concord. This project was built to meet LEED (Leadership in Energy and Environmental Design) standards (GOLD level).
- Overall, the continuity of the design team would streamline the design process and ultimately the construction timeline as well.

A brief breakdown of our services is as follows:

Schematic Design (SD):

- Biweekly meetings with you and Ross to review the project details, direction, etc. We will provide meeting minutes to keep everyone on track.
- A review of the building codes, pertaining to the proposed use.
- Conceptual site plan(s), in color. This will be done in conjunction with Erin Darrow, the civil engineer, and Dexter Burley, landscape architect.
- Conceptual floor plan(s) of the new layout, with furniture, equipment, etc., in color.
- 3D views of the exterior, in color.
- Outline specifications for the cost estimate.
- Assist you and Ross in developing a project budget spreadsheet. This will include a construction estimate from the construction manager.

Once you and Ross are comfortable with the design and budget we will move on to the next phases outlined below:

Design Development (DD) Documents:

- Biweekly meetings with you and Ross to review the project details, direction, etc. We will provide meeting minutes to keep everyone on track.
- Researching products such as windows, doors, etc.
- A review of the building codes, pertaining to the proposed use.
- Arrange for soil borings and geotechnical report for location of building.
- Producing DD civil/landscape drawings and outline specifications for construction. This will be based on an existing survey from Richard D. Bartlett & Associates that Erin will obtain.
- Producing DD structural drawings and outline specifications for construction.
- Producing DD architectural drawings and outline specifications for construction.
- Producing DD mechanical and electrical construction drawings and outline specifications.
- Assist you and the construction manager in updating the project budget spreadsheet.

Construction Documents (CD):

- Biweekly meetings with you and Ross to review the project details, direction, etc. We will provide meeting minutes to keep everyone on track.
- Researching products such as windows, doors, etc.
- Producing final civil/landscape drawings and specifications for construction. This would include State and Local approvals if needed.
- Producing final structural drawings and specifications for construction.
- Producing final architectural drawings and specifications for construction.
- Producing final mechanical and electrical construction drawings and specifications.

Interior Design (ID):

- Finish selections.
- Furniture bid package.

Bidding and Negotiation (BN):

- Review bids with you and the construction manager.

Value Engineering (VE):

- Adjust drawings, etc. if actual bids are higher than the estimate provided by the construction manager.

Construction Administration (CA):

- Attend weekly project meetings during construction to observe the work and insure that construction is proceeding per the plans and design intent.
- Prepare clarification sketches and answer questions as required during construction.
- Review shop drawings.
- Dexter will select plant material and supervise installation by inmates.
- Process applications for payment from the construction manager.
- Assist the construction manager in developing punch lists.
- Provide a Certificate of Substantial Completion.

Preliminary Schedule:

- April 09: Sign contract and start SD phase
- May 09: SD meetings and drawings
- May 09: SD estimate and budgeting, start DD drawings
- June 09: DD meetings and drawings
- July 09: DD set estimate and budgeting
- July – August 09: CD set complete, CM bids project.
- Sept. 09: Start construction
- May 2010: Construction complete

Note that the above timeline is dependant on your availability and schedule as well.

Fees:

Our proposed fee for architectural, structural, mechanical, plumbing, fire protection and electrical engineering would be 6.75% of *construction* cost. We can fix this fee at the conclusion of Schematic Design once the scope of work is known. The civil engineering and landscape architect fees would be in addition to the 6.75% fee above. All fees are summarized below:

Sheerr McCrystal Palson Architecture:	6.75% of <i>construction</i> cost
	\$229,500 (6.75% of 3.4 million)
Darrow Civil Engineering, PLLC:	\$8,760
Dexter Burley Landscape Design LLC:	\$3,240
Reimbursable expense allowance for entire project:	<u>\$6,000 (13 months)</u>

We will provide an AIA B141 standard contract once you are ready to commence. Thank you for asking us. We are ready to start!

Sincerely,

Christopher J. Lizotte AIA, NCARB
Vice President

Sheerr McCrystal Palson Architecture, Inc.

Standard Terms & Conditions of Agreement

1. Definitions

Sheerr McCrystal Palson Architecture, Inc., is hereinafter referred to as the "Architect." Architect's client is hereinafter referred to as the "Owner." Architect and Owner, when not individually named, are hereinafter individually referred to as "Party" or collectively as the "Parties."

2. Validity & Effect

Architect's proposal is valid for 30 days. Should Owner ask Architect to begin work before executing the *Standard Form of Agreement Between Owner and Architect*, Owner agrees that this proposal, including these standard terms and conditions, shall be the contract in effect between the Parties until superseded by other executed agreement.

3. Professional Services

a. Hourly Projects. Billings are based on hours worked, including travel time. Through December 31, 2009, Architect's hourly rates are:

Principal.....	\$125.
Staff Architect.....	100.
Staff Designer/Project Manager.....	80.
Technical.....	60.
Drive Time.....	50.
Clerical & Administrative.....	45.

b. Fixed-Fee Projects. Billings are based on the percentage of completion of each phase of Architect's work.

c. Overtime. Overtime services shall be provided on Owner's authorization at 1.5 times regular hourly rates.

d. Subconsultants. Services of Architect's subconsultant(s), if any, shall be billed at their hourly rates plus 10 percent.

e. Budgetary Estimates. Any requested budgetary estimates are provided solely to assist Owner in Project planning and do not constitute a not-to-exceed threshold.

4. Owner's Responsibilities

Owner agrees to:

a. provide complete physical information about the site and/or buildings and such legal, accounting, and insurance counseling services as may be required;

b. furnish, with reasonable promptness, such additional instructions as may, from time to time, be necessary for the proper performance of Architect's services. Any such instructions shall be consistent with this Agreement, any

amendments or modifications thereof, and reasonably inferable therefrom;

c. credit Architect in all publicity or promotional materials involving the Project design.

5. Invoicing & Payment

Owner shall be invoiced monthly for services performed during the previous month. Payment is due on receipt. Interest shall be payable after 30 days at the maximum rate allowed by law. Owner's failure to make payments to Architect in accordance with this Agreement shall be considered substantial nonperformance subject to Article 16 herein.

6. Reimbursable Expenses

Architect shall invoice Reimbursable Expenses to Owner at Architect's standard rates in effect during each calendar year. Such expenses include, but are not limited to, prints, long distance communications, travel, delivery, photography, outside consultants, renderings, models, and any additional insurance that Owner requires.

7. Change of Scope

Architect's fee shall be subject to equitable adjustment by negotiation, mediation, or arbitration if the agreed scope is changed or Architect's services are not completed within 12 months.

8. Additional Services

These are services beyond those agreed to, including (but not limited to) Architect's revisions due to Owner's changes in the Project scope, quality, or budget; post bid/pricing value engineering redesign. In-house Additional Services shall be billed at the hourly rates set forth in Article 3 herein. Services of Architect's subconsultant(s), if any, shall be billed at their hourly rates plus 10 percent.

9. Restart

If the project is stopped for a period greater than 30 days, a restart fee of 10% will be required to compensate the Firm for the necessary premium time and remobilization.

10. Design/Build

Owner may solicit Design/Build proposals based on Architect's documents with the express understanding that Owner shall be solely responsible for Owner's engineers' computations, certifications, code compliance, and the coordination of this work. It is mutually agreed and understood that Architect's review of any Design/Build work is performed solely to ensure compatibility with Architect's design intent.

11. Dispute Resolution

a. No dispute shall relieve either Party of its duty to perform under this Agreement.

b. The Parties agree to enter first into good-

faith negotiation at a mutually agreed location, and subsequently into mediation should negotiation prove inconclusive, to resolve any dispute or claim within a reasonable time.

c. Any dispute or claim between the Parties which cannot be resolved by negotiation or mediation shall be resolved by arbitration in Concord, New Hampshire, before a single arbitrator of the American Arbitration Association in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then in effect. Judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction. The expenses of the arbitration shall be borne by one or more of the parties to the arbitration as determined by the arbitrator; provided, however, that each party to the arbitration shall pay and bear the cost of its own experts, evidence, and legal counsel.

12. Governing Law

This Agreement shall be governed by and interpreted under the laws of the State of New Hampshire. If any part of this Agreement should be determined to be unlawful, the remainder of the Agreement shall remain in effect.

13. Change Orders

Architect shall review change orders for Owner's approval. Owner understands that projects constructed by the "Fast Track" method, where Architect's design and coordination services may necessarily be performed out of conventional sequence, may experience an extraordinary number of change orders. Absent clear evidence of Architect's negligence, it is mutually agreed that change orders occasioned by "Fast Track" work exigencies shall not be deemed a subject of dispute or claim, or a breach of this Agreement.

14. Shop Drawings

Architect's review of shop drawings is for general conformance to the design intent and shall not relieve Owner's contractor from any agreed obligations.

15. Limitation of Liability

To the fullest extent permitted by law, Architect's liability to Owner for all damages arising out of Architect's services due to any cause, including Architect's negligence or breach, shall not exceed \$50,000 or the amount of compensation paid to Architect, whichever is more. Architect shall waive this limitation if, within 30 days after the date of the attached proposal, Owner agrees in writing to increase Architect's compensation by four (4) percent in consideration of the greater risk to be assumed by virtue of this waiver.