

**Sullivan County Delegation  
County Delegation Meeting  
Thursday – December 29, 2005  
10:15 AM**

**Remington Woodhull County Complex  
14 Main Street, Newport, NH**

**Attendees:** Representatives John Cloutier, Arthur Jillette Jr., Thomas Donovan, Charlotte Houde-Quimby, Larry Converse, Christopher Irish, Peter Franklin, Harry S. Gale, Joe Osgood, James Phinizy and Beverly Rodeschin. Ed Gil de Rubio – County Manager, Sharon Johnson-Callum, Commissioners Ethel Jarvis, Ben Nelson, and Donald S. Clarke, Marc Hathaway – County Attorney, and members of the press.

The meeting opened at **10:15 AM**. Rep. John Cloutier led the meeting. Comm. Jarvis led the pledge to the flag.

**Agenda 1.a. & b.**

**The minutes of the October 31<sup>st</sup>. and November 7<sup>th</sup>. 2005 meetings. Rep. Phinizy moved and Rep. Osgood seconded a motion to approve these minutes. Voice vote all Ayes and No Nays to approve the minutes.**

**Agenda 2.**

**Genesis Contract update:** Rep. Franklin requested a copy of the entire proposed genesis contract. He felt that the December 13<sup>th</sup> update was not the entire contract, and that the whole contract should be available during this discussion. Mr. Gil de Rubio explained that the December 13 revisions are changes made in the originally proposed contract. The changes are the only thing that will be discussed today. We are looking at a 4% increase in rates. Rep. Phinizy questioned if this would be in addition to the administrative costs we are currently paying. He was told “NO”. Mr. Gil de Rubio said we would have a single line item in the budget for Genesis Elder Care. Rep. Franklin asked what revenues would be considered in the 4% payment. Mr. Gil de Rubio explained it would be from revenues generated from nursing home operation/patient care. Rep. Franklin asked for a month-by-month projection of patient care revenue. He asked: “What will the county receive for this payment? Mr. Gil de Rubio explained that the major benefit was the elimination of almost a two million dollar drain on property tax requests. He can have the specific figures available in a week to ten days. Rep. Donovan questioned the process of evaluation of service quality. He was told that Genesis did at least 4 surveys per year and the State did at least 1 per year. Rep. Houde-Quimby hopes that this positive news is not just a flash in the pan. Rep. Rodeschin asked about training activities. Rep. Phinizy asked for bed counts to go along with the monthly financial reports. Rep. Franklin questioned the benefit to be derived from the 4% charge. Commissioner Clarke indicated that the 4% is a percentage of adjusted gross. Rep. Irish said: “It is clear to me that the project is working!” There was further discussion by Comm. Nelson,

Representatives. Osgood, Phinizy, and Gale regarding the success of the Genesis Project.

**Agenda 3.c.**

The committee report of Rep. Gale was moved to the end of the agenda.

**Agenda 3.a.**

In the absence of Rep. Ferland, Mr. Gil de Rubio, gave a run-down of the financial report for the past month. Everything is moving along O.K. The accountant will be coming in next month to do a trial balance of the books. Rep. Cloutier proposed a meeting of the Delegation on Monday January 30<sup>th</sup> to hear the accountant's report. **Finance Committee was accepted by a voice vote.**

Non Agenda Item

Mr. Gil de Rubio passed out a letter he received from a former employee of the Community Alliance For Human Services that alleged improprieties in expenditures for meals and entertainment which had been carried on as training meetings. Mr. Irish explained that the Executive Finance Committee had first looked at the letter in non-public session, but immediately came out of non-public session when they determined that the subject of the letter was not appropriate for non-public session. **Rep Phinizy moved and Rep Houde-Quimby seconded and all by voice vote agreed to a 5-minute recess so that all could read the letter.** The delegation came out of recess and discussed the letter. It was agreed to have the County Manager investigate the allegations and report back to the delegation at a later date, hopefully in January or February 2006.

**Agenda 5.**

There was a discussion of tax payments by cities and towns to the County. Of particular concern to certain delegation members was forgiveness of late payment penalties caused by the results of a disaster natural or otherwise. It would appear that there is no such policy in place at this time to deal with such an event. **Rep. Phinizy moved and Rep. Donovan seconded, that the Commissioners be directed to develop a policy proposal subject to the review of the County Attorney, to be approved by the full delegation, regarding the waiver of tax payment penalties under extreme circumstances.** Rep. Rodeschin asked the County Attorney for his opinion of the proposed motion. He replied that he did not feel that the Commissioners had the legal right to waive tax payments. **Voice vote. Motion passed 10-1 in favor.**

**Agenda 3.c.**

Rep. Gale presented his Committee Report. Rep. Cloutier thanked Representatives Gale, Rodeschin and Donovan for their hard work as members of this committee. A copy of the report with 7 appendices was passed out to the delegation and those in the audience. **Rep. Phinzy moved and Rep. Irish seconded to accept the report from Rep. Gale's committee.** Rep. Gale thanked the committee for their work. There were no findings that information was withheld from members of the Delegation. The Committee felt that Mr. Franklin was acting from a true belief that he was working to carry out county business. They recommended that a representative from the State Department of Health and Human Services, visit the Delegation to explain the Pro-Share and MQTP systems to them. Further, they recommended that the county convention be moved back to at least one week earlier than present, to give more time to deal with the budget. They also recommended that the County Manager get more involved with the Executive Finance Committee as they build the budget for presentation to the Delegation. They further recommended that the communication process be improved so that there was an improved timeliness of information flow. Rep. Irish felt the biggest problem is the process. He would like to see us seeking information only through the delegation chair. He also raised questions about Committee disagreement regarding the extent to which the County Manager followed proper procedures. Rep. Gale said he felt it should be the task of the delegation to resolve that question. Rep. Franklin and Rep Phinzy had additional questions, some of which were answered by Rep Rodeschin. There was discussion of bills currently being heard in Concord. Rep. Franklin provided historical information regarding Pro-Share. Rep. Houde-Quimby noted that most of the recommendations are process oriented. Who was responsible for dropping the process? Rep. Gale: We are not really sure whom – but we are sure it was a mishap of the communication process. Rep. Rodeschin: We need someone from Pro-Share to explain this to us. In the “trickledown” process from the Feds to the states and then to the counties there was a communication loss of a variety of types. I will try to get someone here from NH HHS at our next meeting. **Rep. Osgood moved an amendment to the effect that the Chair be directed to see that the recommendations are carried out.** After a short discussion he withdrew his amendment. **The motion to accept the amendments to Phinzy/Irish motion to accept the report of findings of fact and recommendations of the County Dispute Resolutions Subcommittee dated 12/29/2005 was called. It passed 10-1 on a voice vote. Vote on the amended motion was 11-0 in favor by a voice vote.** Rep. Franklin made some comments about what he thought were the findings of the report. Rep. Gale countered he did not feel such findings were part of the report. **Rep Irish moved and Rep. Osgood seconded a motion that the Delegation establish a policy that members seeking information from County Staff direct their questions through the Delegation Chair.** Rep. Irish spoke in favor of his motion. Rep. Gale spoke against the motion. **Reps. Irish and Osgood withdrew their motion. Rep. Irish moved a new motion that died for lack of a second.** A discussion brought forth that the County Manager has instituted a policy that any question which requires research and/or written reports must be directed to him so he can

establish which personnel shall develop answers to the question. Commissioner Clarke spoke in favor of questions being routed through the County Manager. **Rep. Phinzy moved and Rep. Irish seconded the following motion: We strongly recommend that the county delegation establish a policy to require that delegation members requesting or receiving information relating to the operating budget do so through the County Manager. The motion to limit debate passed by a 10-1 voice vote. The motion itself passed by a 9-2 voice vote. Rep. Irish moved and Rep. Phinzy seconded the following motion: That the County Manager and the Executive Finance Committee Chair jointly schedule and conduct a review of the proposed Sullivan County Budget with the Sullivan County delegates at a time prior to the Annual Convention.** Rep. Phinzy questioned the complexity of the process. Mr. Gil de Rubio noted that last year he only got two questions about the budget from the delegates in the four weeks prior to the Convention. Rep. Houde-Quimby spoke in support of not hampering the delegate's ability to ask questions. Rep. Rodeschin spoke in favor of holding a budget review meeting at least one week prior to the convention. **Voice vote was 10-1 in favor of the motion.**

**Motion to adjourn passed 11-0 on a voice vote.**

Respectfully Submitted,



Arthur G. Jillette, Jr., Clerk  
Sullivan County Delegation