

Sullivan County NH

2/19/07 Minutes  
Approved @ 3/19/07  
Meeting with no changes  
S.J.C.

~~DRAFT~~

**Type of Meeting:** Sullivan County Full Delegation  
**Date / Time:** February 19, 2007 / 10:00 am  
**Place:** Newport County Complex—Jury Room

**Participants:**

Rep. Peter Franklin (Chair), Rep Ray Gagnon (Vice-Chair), Rep. Tom Donovan (Clerk).  
Representatives John Cloutier, Larry Converse, Sue Gottling, Arthur Jillette, Ellen Nielsen, Jay Phinizy  
and Carla Skinder. Commissioners Jeff Barrette, Ethel Jarvis and Ben Nelson.

There was no participation by members of the public.

The meeting was opened by Rep. Franklin at 10:00. Rep. Nielsen asked for an addition to the agenda:  
could each member of the delegation make a brief statement about his/her perception of the relationship  
between the delegation and the executive branch of the county government? Rep Franklin added this to  
the agenda under "new business."

**Minutes:**

The delegation was asked if they would accept the minutes of the delegation meeting of 12/13/06.  
Rep. Skinder moved that they be accepted; Rep. Cloutier seconded the motion. After it was  
pointed out that no minutes for this meeting are available, Rep. Cloutier moved that the previous  
motion be tabled, and this motion was seconded by Rep. Converse. The motion to table was  
passed, with one objection. Next, Rep. Cloutier moved that we accept the minutes of the  
recessed delegation meeting of 1/29/07; this motion was seconded by Rep. Gottling. The motion  
passed unanimously.

A discussion of how the minutes of future meetings of the delegation should be prepared followed these  
motions. The delegation agreed that we do not need a verbatim transcript for most delegation meetings  
(except possibly for the County Convention.) However, if one member of the delegation is continuously  
taking notes, that member cannot participate in deliberations, so it might be helpful if a member of the  
county staff were to take notes during the meeting, and work with the clerk on preparing the draft of the  
minutes. Commissioner Barrette offered to bring this issue up at the Commissioners' meeting on  
2/20/07. Meanwhile, the Delegation agreed that Rep Donovan, assisted by Rep. Nielsen, would prepare  
the minutes for this meeting [which is actually a continuation of the recessed meeting of 1/29/07.]

**Old Business:**

Rep. Franklin reviewed the recent correspondence between himself and County Manager Gil de Rubio.  
He stated that he had asked that Mr. Ray Thivierge, the VP and regional manager for Genesis, attend  
this meeting to give us a report on the status of the ability of the county to manage the nursing home.  
Mr. Gil de Rubio had responded that Mr. Thivierge would not attend the meeting, and that the subject  
matter which Rep. Franklin had asked that Mr. Thivierge address would be covered as part of the Goals  
Setting process. Rep. Franklin stated that he thinks policy decisions should not be a part of the Primex-  
facilitated Goals Setting process. Several Representatives talked about past difficulties getting  
information from Genesis. It was pointed out that a transition plan was part of the contract with Genesis  
and this has not been provided.

**Rep. Phinizy moved that the Delegation request that the Commissioners provide a report or a  
presentation about the operation and management of the nursing home by Genesis at the next  
Full Delegation meeting at the end of March, and be prepared to answer questions at that  
meeting. Rep. Skinder seconded this motion.**

More discussion about what kind of information the Delegation wants from Genesis followed Rep.  
Phinizy's motion. Commissioner Barrette observed that representatives from Genesis probably would  
not be willing to attend the meeting. Rep. Donovan commented that he had had cordial and helpful

discussions with Genesis personnel in the past and it is not in the best interests of Genesis to refuse to cooperate with the Delegation. Commissioner Nelson stated that, since the Commissioners had not made a decision about ending the Genesis management contract, they had not asked Genesis for a transition plan. Rep. Skinder reported several complaints from constituents about the nursing home manager. **Rep. Gottling moved the question, and Rep. Cloutier seconded the motion. Rep. Phinzy's motion was passed by a unanimous vote.** The commissioners then agreed to take up this request at their meeting, which was scheduled for the following day, 2/20/07.

Next, members of the Delegation discussed the County's financial obligations under the present contract with Genesis. The former contract specified that the County would pay Genesis \$200,000 per year to manage the nursing home and provide certain services, such as physical therapy and a nurse practitioner who can write prescriptions. The current contract does not specify a dollar amount, but instead states that Genesis will be paid 4% of the "net revenue" of the nursing home, with a cap of \$450,000. The County is being billed \$16,666.67 [one-twelfth of \$200,000] per month. The explanation that has been given is that since the Genesis managers have not yet determined what should be counted as "net revenue" the County cannot be billed for the actual amount owed, since that amount is not known. Rep. Donovan pointed out that there are many ways in which Genesis could make "hidden profits" from the services it provides at the nursing home. Rep. Franklin stated that no one knows how much the administrator is paid. Commissioner Nelson observed that the nursing home benefits in many ways from Genesis services. For instance, the county cannot bill Medicaid for the services of a nurse practitioner, but these services are provided as part of the Genesis package. Many Delegation members expressed concern about the lack of transparency in the dealings between the county and the Genesis corporation.

#### **New Business:**

The Delegation considered the question of whether or not Rep. Donovan had been elected to the Executive Finance Committee at the 12/13/06 organizational meeting [for which there are no minutes.] As Clerk of the Delegation, he attends the EFC meetings, but is he able to vote? Rep. Donovan agreed to listen to the tape recording of that meeting and report back.

Rep. Cloutier spoke to a bill which he is sponsoring which relates to the running of County conventions and timelines for reports.

Earlier, Rep. Nielsen had requested that each member of the delegation speak briefly about the relationship between the Delegation and the executive branch of the County government, and time was allotted for this at the end of the meeting. Themes that emerged included the inevitability of conflict, the need for transparency balanced with the need for civility, the necessary messiness of democracy, and the possibility of a fresh start. After the round of statements, Rep. Skinder asked if the Delegation might want to consider working with a mediator. Rep. Nielsen agreed to gather some information about mediators / facilitators who work with organizations in conflict and present the information at the next meeting.

The representatives set a date and time for the next full Delegation meeting—Monday, March 19 at 9:00 am. It is likely that the meeting will be held in Newport. The meeting was adjourned at approximately 12:15 pm.

Who moved to adjourn and who seconded that motion?

*Belmont was Phinzy + Skinder*

*Thomas Edmondson*  
*Clerk*