

Sullivan County NH

Type of meeting: Board of Commissioner Regular Business Meeting

Date/Time: Tuesday – February 20, 2007; 3 PM

Place: Unity County Complex – Sullivan County Health Care Facility, Frank Smith Living Room

Attendees: Commissioner Ethel Jarvis – *Chair*, Ben Nelson – *Vice Chair* and Jeff Barrette – *Clerk*; Ed Gil de Rubio – *County Manager (arrived at 3:10)*; NH State Councilor Ray Burton – District 1; Scott Wojtkiewicz – *S.C.H.C. Administrator*; Heidi Smith – *S.C.H.C. Director of Nursing*; Pam Jones – *S.C.H.C. Administrator/DON Secretary*; Sharron King – *Registrar of Deeds*; Sharon Johnson-Callum (arrived at 3:20, minute taker).

Other attendees: Rep. Larry Converse

3:05 Commissioner Chair, Ethel Jarvis, brought the meeting to order. Councilor Ray Burton led all in the *Pledge of Allegiance*.

AGENDA ITEM NO. 2. COUNCILOR RAY BURTON – NH STATE DISTRICT 1

Councilor Burton provided an update on NH State issues, including State parks and which official's terms were expiring. Mr. Gil de Rubio encouraged the Council to scrutinize the new methodology the new DHHS Commissioner would bring to the table as Sullivan County has brought a lot to the table with the Avian Flu preparedness issue. Councilor Burton noted he would be aware of this. The Chair opened the floor for questions. In response to Representative Converse's questions, Councilor Burton confirmed he heard nothing since Senator Odell's report from the committee Odell headed up. Councilor Burton briefed the group on State park losses, tentative purchases, a 20 million bond with 10 million to go towards Hampton Beach Park and balance to improve the other parks. He noted the general court will decide by July 21st on how they want the parks run; he spoke in favor of private/public partnerships within the park system and discussed a recommended \$300,000 appropriation to the historic division. He spoke briefly on vandalism. Mr. Gil de Rubio thanked Councilor Burton on behalf of the staff and council for his accessibility.

AGENDA ITEM NO. 1 MEET MINUTES REVIEW

AGENDA ITEM NO. 1.A. DEC. 19, 2007 EXECUTIVE SESSION – REVIEW TO UNSEAL OR KEEP SEALED

3:34 A motion was made, by Commissioner Barrette, to keep the Dec. 19, 2007 Executive Session meeting minutes sealed, as they included personal names. Commissioner Nelson seconded the motion. Discussion – the minutes were previously approved with no discussion on unsealing or keeping sealed. A voice vote was taken. The motion carried, with all in favor.

AGENDA ITEM NO. 1.B. JANUARY 16, 2007 APPROVED MEETING MINUTES

It was read into the minutes that Dr. Catino was affiliated with the Clough Center in New London.

AGENDA ITEM NO. 1.C. FEBRUARY 6, 2007 PUBLIC MEETING MINUTES

The date on the first page needs to be changed from the 5th to Feb. 6th. Commissioner Jarvis clarified when she mentioned the 5-year period, on Page 3, she meant that Biron had indicated as it pertained to the audit itself, not the auditors. On page 5, last paragraph change "their" to "there", "appose" to "opposed" and "succession" to "secession".

3:38 A motion was made, by Commissioner Barrette, to accept the February 6, 2007 minutes with the corrections. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 1.D. FEBRUARY 12, 2007 PUBLIC MEETING MINUTES

3:39 A motion was made, by Commissioner Barrette, to accept the Feb 12, 2007 public meeting minutes as typed. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, with all in favor.

AGENDA ITEM NO. 1.E. FEBRUARY 12, 2007 EXECUTIVE SESSION MEETING MINUTES

Mr. Gil de Rubio recommended the minutes be permanently sealed.

3:40 A motion was made, by Commissioner Nelson, to approve and seal the February 12, 2007 Executive Session meeting minutes. Commissioner Barrette seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 1.F. FEBRUARY 14, 2007 SPECIAL PUBLIC

3:41 A motion was made, by Commissioner Nelson, to approve the February 14, 2007 special public minutes as printed. Commissioner Barrette seconded the motion. Discussion – Commissioner Nelson wanted it noted this resignation was accepted with regret. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 1.G. FEB 14, 2007 EXECUTIVE SESSION

Mr. Gil de Rubio recommended they approve and keep sealed the 2/14/07 Executive Session meeting minutes.

3:44 A motion was made, by Commissioner Barrette, to approve and keep sealed the minutes from February 14, 2007 Executive Session. Commissioner Nelson seconded the motion. There was no further discussion. A voice vote was taken. The motion was made with all in favor.

AGENDA ITEM NO. 3 REGISTRY OF DEEDS REPORT

Sharron King distributed a one page cost analysis. She provided a restoration history of the project spanning just over 10 years. They just completed restoration of their "volumes", which hold deed images. These include the day-to-day ones the public uses, and the original fire damaged ones. They have two more pieces of restoration in the Registry. Ms. King noted Joe Marotti Co. provided three proposals. She recommended they take money from the Registry Equipment Fund for restoration and to update equipment pieces that housed the volumes. The proposal quotes were:

- 1) \$41,000 restoration of 82 volumes. These are the grantor/grantee volumes. Ms. King spoke briefly about the restoration process on the volumes from 1827 – 1970. She noted from '70 on, restoration is not needed as they are all digitalized.
- 2) \$60,000 roller shelving unit. The old ones they use are failing. This equipment was moved from the Records Building, where they used to be house, before UNH Cooperative Extension took over that building. The proposal includes Mr. Marotti meeting the truck, taking down the old units and supervising set up.
- 3) \$52,000 map cases. Ms. King spoke of where the map cases would be located and the type of equipment. She noted Marotti would be here during placement of these also.

As a side note, Ms. King pointed out the Registry has 12,000 plans, in-house, needing restoration. The cost to do this would be approximately \$95,000.

Ms. King confirmed prior restoration costs were budgeted over a 10-year period, as funds in the Equipment Account were insufficient; they've been building the Equipment Account fund through surcharges – fees they charge per document - since 1994; the Equipment Fund cap is \$500,000. A question arose about using funds in this account for "restoration of the volumes". The group reviewed the Equipment Fund RSA [478:17-j Register of Deeds Equipment Account.] Ms. King noted the volumes are the equipment of her department in order to do their work. She discussed the 2/3 vote needed from the Board and the Delegates to use the Equipment Account funds. She noted the fund balance is at \$143,958.47 as of January 2007. The Board members questioned if bids were being collected from other vendors. Ms. King noted all towns and the State use Joseph Marotti Company because of his quality of work and reliability. She spoke of failed projects in other municipalities who used other vendors. She noted Marotti Company's work is nation wide. In response to Commissioner Nelson questioning if it was a wise decision to deplete the fund should anything happen throughout the year to other equipment, Ms. King provided an updated on the status of each piece of equipment in her department. She included a brief discussion on a tentative idea for Connor & Connor to replace certain pieces with one scanning process. She noted the vault is her primary concern and would contact other County Registrars to find out whom they use for providing the proposed items. Mr. Gil de Rubio inserted, that vendors in this field or work were limited, especially in NH. The Board concurred they would like to see other quotes and would like to view the equipment and to schedule a tour of the Registry at their next Newport meeting.

4:08 A motion was made, by Commissioner Barrette, to continue discussions with a field trip to Registrar of Deeds at the March 6th meeting. Commissioner Nelson seconded the motion. Discussion – Commissioner Jarvis requested clarification of the \$41,000 proposal – if funds could be used for restoration. Mr. Gil de Rubio will check with the Attorney’s Office. A voice vote was taken. The motion carried with all in favor.

AGENDA ITEM NO. 4 HEALTH CARE REPORT

Scott Wojtkiewicz discussed the following report details:

- 1) *January Census Summary* – a positive variance of 236 for Medicaid; negative 71 variance for Medicare A; negative 127 variance for Private; negative 30 variance for HCBC (Respite); census total exceeding budget.
- 2) *January 2007 Billing* – he briefed them on the report details; discussed a \$102,000 check received as a result of rebilling – they corrected the issue with help from one of the Genesis consultants. He confirmed the check would not be reflected on this report, but in the Aged Analysis report. He spoke briefly about another large check they worked on. Commissioner Barrette noted this was the best he’d seen on the report and asked about their collection rate. Mr. Wojtkiewicz indicated it has increased over the last couple of months, but is unable to give the exact percentage. He indicated their Office Manager has been working with the Genesis consultants on collections. Commissioner Barrette requested he provide, in the future, an actual dollar amount to base their budgeting on, rather than a percentage. Mr. Wojtkiewicz spoke of their work with a collection attorney to collect approximately \$80,000 so far - some are liens on property or follow-ups with family members who have Power of Attorney and are responsible for making payments on behalf of a resident. In some cases they are using the attorney - as fraud may be involved. Mr. Wojtkiewicz confirmed one of the Genesis’s business office consultants was in-house one day for a 9-hour period working on attaining a large check, that he and Julie worked together to collect another large amount, and that it’s more of a need of Julie to be educated on collections. He also pointed out the accounts receivable are a mess so they must study each case as there are errors on the books – they double check the days the resident was in the facility and determine if they were Medicare or Medicaid eligible during those days. They have addressed payer types and are requesting insurance cards as resident are admitted. Mr. Gil de Rubio noted they continue to retrain and enhance skills of the staff; changing the mind set in the community; and involves an attorney, experienced in accounts receivable, on board.
- 3) *Month-end Aged Analysis* – Mr. Wojtkiewicz noted they would be viewing credit categories to see if they owe money. He will be sitting down with Mr. Gil de Rubio to discuss write-offs as they have exceeded time limits on some of the bills. The group briefly discussed the January 2006 figure of \$349,569.
- 4) *Census As Of: February 20, 2007* – Mr. Wojtkiewicz indicated they had one admission since the report was run from midnight’s data. 147 Total Beds filled: 108 Medicaid, 19 Private, and 20 Medicare filled Beds. Bringing in more patients from hospitals, higher census number leaving and returning home due to skilled

care rehabilitation. Mr. Wojtkiewicz spoke to budget vs. actual, need to review budgeted, and weigh what happens on a daily census.

AGENDA ITEM NO. 5 DEPARTMENT OF CORRECTIONS

Mr. Gil de Rubio indicated he met with the DOC staff this past Thursday, and noted they are a "great group of people". He will have the DOC census to Board in the next couple days and will reestablish weekly reports. They are looking at a grant with DOC, with help from Kevin Worwick, who is experienced in grant writing, and will update the Board at their next meeting.

AGENDA ITEM NO. 6 COUNTY MANAGER REPORT

AGENDA ITEM NO. 6.A. COUNTY PROPERTY LIABILITY OF OHRV ON TRAILS

Mr. Gil de Rubio noted this was a follow up from the last meeting. He pointed out the County is fully covered for liability and the information on signage in their books was provided by Dave Woodham of NH Primex just as an informational awareness point.

AGENDA ITEM NO. B. TRANSFER MONIES FROM FUND 10 TO FUND 30

Mr. Gil de Rubio noted they budgeted in the Commissioners Office for a ½ time position, which will not be needed. He'd like to transfer the funds from 10400.10001 of \$10,400 to fund 30.409.12020 the Accounting Contract Services line. He noted when the County starts to pay \$70,000-\$80,000 yearly for contracted accounting services, they may want to start looking for a full time person. He indicated \$100,000 is the average salary alone. Mr. Gil de Rubio commended Jeff Graham on his work.

4:56 A motion was made, by Commissioner Nelson, to move \$10,400 from 10400.10001 to 30.409.12029 Accounting Contract General Services. Commissioner Barrette seconded the motion. A voice vote was taken. Commissioner Nelson and Barrette are in favor. Commissioner Jarvis opposed as she indicated she did not have enough information, nor understood why the line was over expended. The motion carried, with the majority.

Commissioner Jarvis asked if Mr. Gil de Rubio had contacted Melanson and Health regarding the audit? Mr. Gil de Rubio had not. Commissioner Jarvis indicated she would review the account budget when she returned to her home.

AGENDA ITEM NO. 7 COMMISSIONERS REPORT

COUNTY GRANT APPLICATION POLICY & PROCEDURE DATED 5/18/04

The Board discussed removing the 1.4%, from the policy. Mr. Gil de Rubio reminded them the Delegates have final say on the budget, that the Board has

changed radically since the policy was created, that the Delegation increased the budgeted funds in FY07, and that there was no formal grant policy until this one was created. Commissioner Barrette pointed out that the older policy indicates they want to promote developing organizations, and they need to decide whether in fact they are in the ongoing funding business. Commissioner Nelson pointed out that there were not a lot of new agencies in the area. Mr. Gil de Rubio noted they needed to take into account whatever policy the Board creates; there is a lot of political posturing as the Delegates can usurp with their final budget decision. The group discussed the different parts of the policy and parts they would keep in or take out. Commissioner Barrette would like to see agencies encouraged to seek other funding sources. Mr. Gil de Rubio mentioned a conversation he held with Senator Odell on how non-profit agencies should go through a more comprehensive audit than what they are now, especially with private donations.

5:01 A motion was made, by Commissioner Nelson to leave the 1.4%, on C. drop 1 and 2, but keep 3. Commissioner Barrette seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

Commissioner Jarvis spoke in favor of the agencies the County funded and the difficulty the agencies face attaining grants and other funding. She noted she had visited all the places.

NON-AGENDA ITEM – TOPICS DISCUSSED AT DELEGATION MEETING FEBRUARY 20TH
Commissioner Barrette noted the a couple items that came up at the Delegation meeting:

1. Delegation requested secretarial assistance. Commissioner Barrette confirmed he would look into this issue. Mr. Gil de Rubio noted a memo went out to the Chair, with a copy to the Delegates, a month ago of a list of services the Commissioners Office staff provided. He recommended they go in to Executive Session to discuss further. Commissioner Jarvis refused. A copy of the memo will be provided to the Board. Mr. Gil de Rubio indicated they do not have the time or personnel to take on the workload of the Delegation meeting minutes, which have become extensive, relentless and a difficult task. He has received complaints from staff. The Delegates hired someone to do their minutes at the Convention, there were concerns from Delegates on how they were done, and the minutes still took a year to be approved. He noted it's up to the Delegates to provide a clerk and take the minutes to produce a final product. Mr. Gil de Rubio noted the history of working with the E.F.C. Chair and Representative Rodeschin, they found someone to do the minutes, but is more than happy to do that again. Per request of the Board, Mr. Gil de Rubio confirmed he would find someone to type the minutes on a stipend basis, and will send a memo to Rep. Tom Donovan, Delegation Clerk, regarding the issue.
2. The Delegation has requested their next meeting to be Monday, March 19th, and at the meeting they want a report on Genesis Health Care and the facility

and extend invitation to do Q& A touting the good that's been done and allow and assessment from the Delegation. The report should include goals moving forward and past accomplishments. Mr. Gil de Rubio pointed out Goal 4 in the NH Primex/County goals report was part of that process. Mr. Gil de Rubio asked if what they are asking is for the goals to be taken out of order, in order to make Goal 4 a priority? Commissioner Barrette and Nelson indicated the Delegation requested the Board to compile a performance report with Genesis help. They noted the Delegation will be sending a letter regarding this issue and are interested in talking about a transition plan. Commissioner Barrette added, he feels this is not prudent as you couldn't have a transition plan until you know the point you are transitioning from. Mr. Gil de Rubio noted he'd draft a report and have it for the next meeting. Commissioner Nelson noted they were looking at one similar to the other three consultants. Commissioner Jarvis noted three Commissioners and nine Delegates attended the meeting and felt it was a very positive meeting.

NON-AGENDA ITEM – VIDEO TAPING MEETINGS

Commissioner Nelson requested the County Manager to check on video taping future meetings, and making them available to NCTV and CCTV. Mr. Gil de Rubio confirmed he would put that on the fast track. He pointed out most municipalities do not have cable and that they must keep arms length. He has made phone calls already and is already working on this.

AGENDA ITEM NO. 8

PUBLIC PARTICIPATION

Rep. Converse asked when the next Building Committee meeting date was? Mr. Gil de Rubio confirmed one had not been set.

Rep. Converse asked the status of the Judkin's Property Conservation Easement? Commissioner Jarvis confirmed it was tabled for a while, as the Unity Conservation Committee did not have the funds, yet. Johnson-Callum noted the extension grant was to 12/31/07.

Commissioner Nelson indicated, to Rep. Converse, they are trying to locate the maple museum at a state park and noted there would be a Steve Taylor tree tapping in March, which the Governor was coordinating with Peter Thompson, President of the NH Maple Producers Association.

Rep. Converse asked the Board if they changed the meeting time back to 1:30? Johnson-Callum confirmed the time on the agenda for the next meeting was incorrect, and should have shown 3 p.m.

A male resident indicated he was told once the dining room remodeling was completed they'd be able to go back to the old smoke hut, but the hut is unheated with no electricity. Mr. Wojtkiewicz noted there were safety issues involved, and had spoken to the County Manager on how the facility would deal with this. He indicated

they were unable to speak of this in an open forum due to HIPAA regulations. They are looking at it, working on it, and in the near future should have a solution. Mr. Wojtkiewicz confirmed they do have a resident smoking policy, but not a designated area. Currently, residents who smoke can do so from the 1st floor loading dock area by the kitchen, which has an overhang to protect one from the elements. He concurred the "smoking shack" used to have heat and electricity but was considered a "fire trap" at this point. Commissioner Nelson requested them to find something better than what they have now. Ms. Smith pointed out in most nursing home facilities there are no accommodations for a comfortable smoking area, as they do not want to encourage a comfort level; and, that the norm is to "go out back", using a "bus stop cover" with nothing heated or lit. Mr. Wojtkiewicz indicated they needed to do a smoking assessment on residents admitted, that they currently do so on a quarterly basis – to make sure residents can go out by themselves and be safe - thus the dilemma on what he can speak of regarding this resident's comment. Commissioner Jarvis asked if he could give them a report on any improvements? Mr. Wojtkiewicz indicated most residents in the facility are unsafe to smoke on their own; and, therefore, a LNA brings the resident out to do this; but, some residents have an issue with this protocol. Mr. Wojtkiewicz would like the State Ombudsman's office to work with this issue. Mr. Gil de Rubio recommended the Board okay Mr. Wojtkiewicz to work with the Ombudsman office. Commissioner Barrette wanted it known that he thinks it's highly unfair to make staff go out in the cold; and he'd like an update on this. Mr. Wojtkiewicz confirmed he was waiting for a call back from the State. Commissioner Jarvis confirmed to the male resident that they would be working on the issue.

5:34 A motion was made, by Commissioner Nelson, to adjourn the meeting. Commissioner Barrette seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.

Respectfully submitted,



*Jeff Barrette, Clerk
Board of Commissioners*

Date:

3/8/07

JB/s.j-c.