

MINUTES
Cheshire County Commissioners Meeting
Wednesday January 11, 2017 09:30AM
Department of Corrections
825 Marlboro Road
Keene, NH 03431

PRESENT: Commissioners Charles Weed, Peter Graves, and Joseph Cartwright

STAFF: Finance Director Trombly, Grants Manager Bansley, and Assistant County Administrator (ACA) Bouchard.

Guests:

At 9:30AM the meeting opened and Chairman Graves recognized Administrator Coates who said that he had invited Steve Horton the Maplewood Nursing Reconstruction Owner's Representative to provide a report out to the Commissioners.

Master Agenda Item 455: Steve Horton – Maplewood Reconstruction Project Status. Steve Horton said that a report received from the hazardous material survey shows some asbestos in flooring and some other areas. An unexpected result was the existence of some asbestos in the sheetrock of the walls.

Horton said that an initiative to survey the property needs to be completed and should commence in the next few weeks. He will contact a local surveyor to begin the process.

Horton then discussed the Maplewood RFP / RFQ process that recently took place and said that from the many responses received, three (3) architects and three (3) construction managers were selected for interviews by the staff project team. He said that following the interviews the matrix scoring of the interview team was unanimous, and the architect that was selected was Banwell Architects from Lebanon, NH and the construction manager that was selected was Engelberth Construction of Keene. He said that next steps are to meet with both firms and to begin to flesh out the actual cost numbers to complete the project and to prepare for the upcoming delegation meetings in March.

Horton then said that he had reached out to both firms to ask for a fee schedule for the completion of the project. He said that the Banwell (the architectural firm) had agreed to a 7.5% fee which Horton commented was on the lower end of normal and customary for architectural firms, and that Engelberth Construction has agreed to a 2.5% fee which is also on the lower end of the scale for Construction Management fees for a project of this size and scope. He said that is pleased with the quoted numbers and said that they are well in-line with his expectations.

Horton said that floor plans will be completed and schematic drawings will begin to be developed shortly and commented that a third party drawing inspector will probably be hired to review the drawings that will be generated to be able to expedite the review and approval of the drawings certifying that they meet the current state code requirements.

An extended discussion of bio-mass heating systems and co-generation systems that could be installed at Maplewood during the reconstruction process was had and the potential use of solar power was also covered. It was discussed that the payback for most solar installations has not proven to be fiscally prudent without being covered by substantial tax incentives. Since the County is tax exempt, the payback period would most likely exceed the normal economic life of the equipment and thus be uneconomically.

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A discussion of how the building and reconstruction project would begin and the problems with keeping the project on track began and Coates then said that Engelberth has a strong construction management process that breaks down the job work timelines in great detail and that will help manage the sub-contractors and to keep the project on time.

A discussion of the soil conditions at the site began and Horton said that a soil survey to include borings will need to talk place. He also said that based on old borings and soil conditions reports, he didn't anticipate that the site would be a problem on which to build the new wing but said that new borings would still be needed to meet regulations.

The Commissioners thanked Horton for his report and said that they looked forward to receiving regular updates from Horton and the staff on the project as it kicks off in the next few weeks.

Master Agenda Item #453: Managed Care Update was then taken up for discussion and Administrator Kindopp addressed the Commissioners and said that the Medicaid program is difficult to understand and that she would cover the current environment in the State in a hopefully simple way to understand. She covered the issue that Medicaid pays \$49.00 a day and the actual cost to provide service from a nursing home is closer to \$250.00 per day.

She discussed the Choices for Independence Program (CFI) and related that the program is for direct service to Medicaid-eligible individuals who meet the clinical and financial eligibility standards defined in law for nursing facility long-term care. These services are provided as nursing facility care and as home and community based care through the Choices for Independence Program (CFI) waiver program. This program was formerly known as the Home and Community-Based Care program for the Elderly and Chronically Ill, or HCBC-ECI). She explained how program works to keep people in their homes as long as possible. The long term care and support services model was explained and the cost of keeping people at home vs. the high end cost of emergency room services was covered.

Finance Director Trombly said that when someone with nursing level care requirements wishes to stay in their home the Department of Health and Human Services (DHHS) works with Home Healthcare Services (HCS) to provide in-home care whenever possible up the point that the person can no longer be served in a home environment and needs to be placed in a nursing home for their safety.

Kindopp discussed the laws that control the payments to nursing homes and covered the progression from fee for service to the managed care model. She said that all residents in nursing homes are now enrolled with a Managed Care Organization (MCO) as required by State law, which is a step to move away from the fee for service model. She said that with the MCO administrative burden being forced onto providers has had the effect that the nursing home now has two (2) full-time equivalent employees (FTE's) that manage the transportation program instead of the one (1) person who used to handle the service.

Kindopp then discussed the CFI process that will now require all 72 nursing homes to individually contract with the MCO's in the attempt to eliminate all fee for service models. She said that MCO's are paid fees are 2-4% of overall costs however these fees come directly out of the state funding which negatively impacts all

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nursing homes. She said that State Senate bill SB553 attempts to help correct some of these problems and she will be appearing at the hearings to address the issue with the state legislature. Kindopp remarked that the combined County's bring in \$50M a year of "ProShare" funds. (Defined as: *ProShare funds or Proportionate Share Payments, also known as ProShare, are annual Medicaid supplemental payments made to each county. New Hampshire receives Federal Medicaid funds based upon the difference between Medicaid payments for nursing home care provided by county facilities and what the payment would have been if the care for those residents had been from Medicare. The federal share, which is half of the total, is divided among the counties.*)

She said that DHHS is issuing a Request for Quote / Request for Proposal (RFQ/RFP) to determine if ProShare funding can be paid directly to County's instead of passing it through the State. She went on to say that as written, SB553 mandates that the nursing homes, DHHS, and legislators all work together to help implement a workable solution.

A discussion of the costs to the County that results in a \$2M yearly deficit was discussed and the enormous complexity of the nursing home regulatory and operating environments that has developed over the years was covered. Kindopp said that the State is seeking a fifteen percent (15%) increase in wages / payments to help attract more people (nursing staff) into State nursing homes to help bring staffing levels up to the needed levels.

Trombly then discussed *167:18-(a) County Reimbursement of Funds; Limitations on Payments.*

An extended discussion of the political environment in the state started and how decisions that put into place the current programs was covered.

A dialogue concerning convening a meeting with state elected officials to review the current state of the affairs of the nursing homes and DHHS programs was had and it was suggested that the meeting should be between the nursing homes and senior state officials, to include the newly elected Governor and State Senators as forum to discuss the untenable state of current affairs that all nursing homes in the State currently find themselves.

The Commissioners then took-up Master Agenda Item #454: Nursing Home Admission Procedures – K. Kindopp discussed the admissions process and procedures for nursing homes that is done in concert with hospitals discharge units. Kindopp reviewed a letter that was to be sent to family from the Commissioners that had requested admission to Maplewood for a close relative. The letter declines admission to Maplewood based on the applicants' health conditions for which that the nursing home is unable to meet needs of care and treatment.

An extended discussion began and at the conclusion of the review of the letter **Commissioner Weed moved to sign the letter and was seconded by Commissioner Cartwright. Upon vote the motion passed unanimously.**

County Administrator Coates was then recognized for the purpose of providing the Weekly Operations

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report.

Coates said that he has contacted the New Hampshire Association of County's (NHAC) and asked that the executive director send out an overview of the meeting held with legislator's on the status of County government in the state.

Coates said that he has scheduled a meeting with the town administrator from Swanzey on Friday to discuss the town's interest in working with the County and the assisted living facility of the town.

Trombly presented a Primex proposal that will cap the costs for Workers Compensation and Property and Liability insurances cost increase for 2018 – 2019 with a not to exceed 6% increase for worker's compensation and 5% property and liability cap. A discussion of the use of other insurance companies was covered and it was learned that Primex has the lowest overall costs for County insurances because they specialize in State, County, and Municipal insurances.

At the conclusion of discussion Commissioner Weed moved to accept the Primex proposal to cap Workers Compensation insurance increase costs at not more than a 6% increase for 2017-2018 and to cap the cost of Property and Liability insurance at a not to exceed cost increase of 5% for the same time period. Commissioner Cartwright seconded the motion and upon vote the motion passed unanimously. The documents were then signed by Chairman Graves.

Trombly discussed the Public Service Loan Forgiveness, (PSLF) program for 501 C (3) employees that is being offered. She said that despite the way the program is advertised a recent attempt to use the program by an employee resulted in their loan being recast and approximately quadrupling the monthly payments. The employee was able to refinance the loans and bring the monthly payments back into line with the prior payments but it was discussed that it is very important to be sure that all elements of the program are thoroughly understood before applying for this program.

Coates said that as of this week, one (1) person has been signed up and will be attending the adult day care program at the nursing home for the first time in a number of years. The cost of the program is \$50.00 per day to participate in the program.

He then said that there are two broadband hearings being held in Concord on Thursday to receive input on bonding my municipalities for broadband projects and that he hoped to be able to attend.

He reminded the Commissioners that the next Drug court graduation will be held next on February 1st. at 12:00PM in the Court House at 33 Winter Street on the second floor.

Coates then discussed the annual United Way Kick-off campaign scheduled for the beginning of February and said that the number of participates from the County has historically been very low. The goal for the number of employees to participate has been set at a modest number of twenty (20) from all County departments for this year.

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Coates then reported that the Hundred Nights Shelter has elected not to proceed with the Community Development Block Grant (CDBG) application that was approved for a public hearing last week after reviewing the time line and recommendations received from the CDBG staff. He said that they will not proceed until around the July time frame and that the CDBG had suggested that they should first apply for funding under the State tax credits program and then complete other work needs to be begun before reapplying for a CDBG award.

A discussion of the County providing water for a local farmer who's well has run dry was covered. It was decided to allow the farm to draw the water as needed to sustain the livestock until the wells can be re-drilled and the water flow returns to normal.

A discussion of the old oversized existing generator on the farm began and the disposition of the old unit and the cost of a new generator was covered. The need for a generator was discussed and Commissioner Graves said that he would discuss the options with both lease holders on the farm.

A discussion of the Commissioners participation on the Board of Advisors for the County Cooperative extension began and Commissioner Graves said that he no longer has the time to attend the meetings. Following a short discussion **Commissioner Weed nominates Commissioner Cartwright to be the representative from the Board of Commissioners to the Board of Advisors for the Cooperative Extension. Upon vote the motion passed unanimously**

Old business was then discussed and Commissioner Cartwright asked if a letter concerning the LNA development program was sent out to the local County schools. A discussion of the existing affiliation with Keene high school was covered and further discussion on this issue will take place in the coming weeks.

ACA Bouchard then discussed new forms for recording non-public sessions results that meet the new NH RSA requirements and corporate compliance forms.

12:44PM Pursuant to RSA 91-A:3, II(b) Commissioner Graves moved to enter into non-public session to discuss the hiring of any person as a public employee. A roll call vote was taken and Commissioners Graves, Cartwright, Weed, voted unanimously to enter non-public session.

As a result of deliberations in non-public session the Commissioner Cartwright moved to authorize the hiring of W.S. as an LPN for Maplewood nursing home at \$18.73 per hours based on experience, training, and education. Commissioner Weed seconded the motion and upon vote the motion passed unanimously.

At 12:56PM Commissioner Cartwright moves to exit non-public session and is seconded by Commissioner Graves. Upon vote the motion passed unanimously and the Commissioners returned to public session.

The weekly census was reviewed and discussion of jail census occurred.

The Weekly Manifest was then reviewed and Commissioner Weed moved to accept the Manifest as

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presented and was seconded by Commissioner Cartwright. Upon vote the motion passed unanimously.

The minutes of January 4, 2017 were then reviewed and Commissioner Cartwright moved to accept the minutes as presented and was seconded by Commissioner Weed. Upon vote the motion passed with unanimously.

The Commissioners calendar was reviewed.

At 1:19PM there being no further business to discuss, Commissioner Weed moved to adjourn the meeting. The motion to adjourn was then seconded by Commissioner Graves. Upon vote the motion passed unanimously.

Respectfully Submitted,

C. Weed, Clerk