

**MINUTES**  
**Cheshire County Commissioners Meeting**  
**Wednesday, June 03, 2015 09:30am**  
**Department of Corrections**  
**825 Marlboro Road**  
**Keene, NH 03431**

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**PRESENT:** Commissioners Stillman Rogers, Peter Graves, Charles Weed

**STAFF:** DOC Superintendent Van Wickler, Administrator Kindopp, MNH Facilities Manager Harrison, and Assistant County Administrator (ACA) Bouchard

**GUESTS:** Westmoreland Selectman J. Hammond

Chairman Rogers opened the meeting at 9:35AM and recognized Jonathan Major of Granite State Automation the HVAC contractor working at the Department of Corrections to fix the heating / cooling control systems. Major said that his employee “Mark” was heading up the work being performed at DOC and that the condition that the HVAC systems were in are “dismaying and shocking”. He said that some of the roof top systems are not wired to anything at all and it was only because the main roof top unit (RTU) was filled with glycol that it survived the recent winter weather. He said that they are keeping records of the problems that they are finding and that the work is only approximately 30% completed. Once the repair work is concluded a HVAC certified system balancing contractor will need to be retained to complete the tuning of the systems.

He said that they are finding incorrectly wired (or not wired at all) units, tubing in the units that is run improperly or not fitted correctly preventing the units from being able to function properly because of the way they were installed. He said that some critical equipment to monitor the system was never installed. He also said that some of the equipment that was installed was done incorrectly, including the intake and exhaust fans on the main roof top unit that are wired backwards.

Superintendent Van Wickler said that he believed that there was incompetence rising to the level of criminal behavior in regards to the commissioning of the units and that the company that installed the systems needs to be legally pursued.

A lengthy discussion began and the Commissioners asked a number of questions concerning timelines to complete the work, costs, and discussed the possibility of suing the company that did the installation to recover the costs of repair and lost energy costs. They discussed that the systems have never worked as they were designed due to the incompetent installation of the units. It was also learned that a number of other customers of the installing contractor are having similar issues of incorrectly installed and configured equipment.

The Commissioners thanked Majors for his report and asked to be kept informed of progress and further problems as they are found.

Master Agenda Item #236 – Department of Corrections Quarterly reports was then taken up.

Van Wickler said that one Correctional Officer (CO) is on military leave and two (2) other CO’s are currently at the training academy. He said that there are currently four (4) vacancies and they

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were having a difficult time filling the positions.

He then discussed the termination of the existing food services contract and the onboarding of the dietary staff as employees. Van Wickler said that the contract termination process had not gone smoothly with the vendor despite numerous attempts to work with the vendor. He said that phone calls and emails from DOC had not been returned or responded to during the sixty (60) day termination period and that no effort was made by the vendor to contact DOC to prepare for the transition process.

He discussed that the vendor's uncooperative attitude made it necessary for the kitchen manager to come in on a Sunday to assist in returning the vendor's computer and records to them but the transition is now complete.

He said that the kitchen staff that transitioned to direct employee status were all quite pleased to be County employees and it was discussed that the transition will save at least \$15,000.00 a year for the County. He explained that only one of the previous vendor employees was not asked to join the new staff and that an ad seeking a cook will be running in the local papers shortly.

Van Wickler then discussed the Electronic Monitoring (EM) program and explained that a new EM equipment vendor has been retained following the completion of an audit that found a number of improper charges from the previous vendor. He told the Commissioners that the new EM vendor offered updated equipment at a lower price than the previous vendor and that the new company was much more flexible in pricing and that the unit operational costs were more competitive.

Van Wickler then discussed the cost of the EM program including the Drug Court participant's costs and reviewed the operational details of the program. He then reviewed the cost of the program for the inmates who are paying for their use of the system so that they can be released into the community.

The growing numbers of federal inmate being held was discussed (currently at 47) and the methods of classifying inmates was discussed.

Van Wickler said that overall the DOC budget is on track and barring unforeseen medical expenses should be within projections for the year.

He then discussed a security incident with a federal inmate that had recently taken place and the response taken by the CO's was reviewed. He discussed that the incident and response had been recorded and said that as a result of the incident the Federal Marshalls will be pursuing additional changes against the inmate.

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Van Wickler then said that the National Institute of Corrections would be visiting the DOC in approximately two (2) weeks to begin the review of the CO training / certification program and that the review would last about a week and involve 6-8 staff members.

The Commissioners thanked Van Wickler for his report and then took up Master Agenda Item # 239: Hot Water pump for Maplewood for discussion.

Facilities Manager Harrison discussed the bid process for the work and said that out of four (4) firms asked to respond to the bid only two (2) submitted bids, one from Stromgren Plumbing and Heating of Keene, and the second from ARC Mechanical Services of Chesterfield.

Harrison said the delegation approved project budget was \$29,500.00 and ARC Mechanical bid was \$17,982.00 and was substantially below the bid submitted by Stromgren Plumbing and Heating. Harrison said that both were very good companies and the County has worked with both firms in the past but based on the cost difference he was recommending the ARC Mechanical be chosen for the project.

The Commissioners asked questions about the scope of the work and the impact on the staff and residents while the work was being completed and Harrison assured the Commissioners that the impact would be light and that everyone would be notified well in advance to the actual work being completed.

**Commissioner Weed moved that based on meeting all specified RFP specifications and on submitting the lowest bid that met all requirements to award the bid for the hot water pump project at Maplewood to ARC Mechanical of Chesterfield for \$17,982.00. He was seconded by Commissioner Graves. Upon vote the motion passed unanimously.**

**At 10:42AM Pursuant to RSA 91-A (II) (a), (b) and (c), Commissioner Graves moved to go into non-public session to discuss a matter, which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, without that person having requested an open meeting. Upon vote the motion passed unanimously.**

**As a result of the deliberations in nonpublic session no decisions were made and no vote taken.**

**At 11:13AM the Commissioners unanimously voted to return to public session.**

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ACA Bouchard was then recognized for the purpose of providing the Weekly County Operations report.

Bouchard reported the following items:

The replacement for the failed emergency generator standby transfer switch has been ordered and will take between 3-4 weeks for the parts to arrive. The total cost of the replacement equipment and repair will be \$6,000.00.

Bouchard said that he had completed and mailed the documentation for the pending lawsuit settlement funds concerning the New England Dairy settlement. It is unknown at this time as to the amount, if any, that will be due to the County for settlement.

Bouchard then discussed that the power outage experienced two (2) weeks ago had damaged two (2) of the four (4) compressors on the main HVAC Roof-top unit. The damage is estimated at \$15,000.00 and following gathering of documentation a claim will submitted to the insurance company. He went on to say to prevent this from reoccurring a power line monitor will added to the unit that will protect all four (4) compressor units.

Bouchard then discussed the investigation of creating an employee intranet that contain Human Resource, Finance, and other forms and data for access by the staff. The project is expected to make it much easier for all staff members to access their benefits and other data and will ease the number of hours being spent by HR and Finance in dealing with forms and supplying basic information.

Bouchard said that he has reviewed the HIPAA and security systems in place and has found them to be satisfactory. Testing of the system will continue and a decision to move forward should be made shortly. Bouchard also stated that one of the major benefits of the this system is that one of the County vendors is offering to input all of the data and forms for no cost and the use of the software is also being offered for no costs as part of the services the vendor offers to the County and their other clients.

Bouchard then reviewed the quote that was received from a vendor for the repair or demolition of the "Day Care" house and garage at the farm. The quote projected the cost at approximately \$80,000.00 to repair the house and to bring the building into code compliance and the garage is expected to cost almost the same amount to repair. The cost of demolishing the structures is projected to be approximately \$52,000.00.

Bouchard said that he believes that the demolition of the structures could be done for far less even if some asbestos might be found. He then said that he believed that if the decision is made to retain the garage it would be cheaper to demolish the present structure and build a new garage if needed rather than repair the existing garage.

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Following discussions Bouchard suggested that the issue should be presented to the Farm Sub-Committee of Delegation for review and discussion.

**At 11:53 Pursuant to RSA 91-A (II) (a), (b) and (c), Commissioner Graves moved to go into non-public session to discuss consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled and was seconded by Commissioner Weed. Upon vote the motion passed unanimously.**

**At 12:04PM the first non-public session was suspended and Commissioner Weed moved to enter a second non-public to discuss a matter, which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, without that person having requested an open meeting; As a result of the deliberations in nonpublic session no decisions were made and no vote taken.**

**At 12:09PM the Commissioners voted unanimously to exit second non-public return to public session.**

**At 12:10PM the Commissioners voted unanimously to reconvene the non-public session suspended at 12:04.**

**As a result of the deliberations in nonpublic session no decisions were made and no vote taken.**

**At 12:21PM the Commissioners voted unanimously to exit non-public session.**

**Commissioner Graves then moved to accept the Weekly Manifest as presented and was seconded by Commissioner Weed. Upon vote the motion unanimously.**

**The minutes of May 27, 2015 were then reviewed and Commissioner Weed moved to accept the minutes as presented. Commissioner Graves seconded the motion and upon vote the motion passed unanimously.**

**At 12:30AM there being no further business to discuss, Commissioner Weed moved to adjourn the meeting. The motion seconded by Commissioner Graves and upon vote the motion passed unanimously.**

Respectfully Submitted,

P. Graves, Clerk