

GRAFTON COUNTY COMMISSIONERS' MEETING
Administration Building
North Haverhill, NH 03774
June 4th, 2024

PRESENT: Commissioners Piper, Ahern, and McLeod. County Administrator (CA) Libby, Assistant County Administrator Burbank, and Administrative Assistant Norcross.

OTHERS: HR Director Clough, Maintenance Superintendent Oakes, DoC Superintendent Lethbridge, Nursing Home Administrator Labore, Helen Mrema, ACLU – via teams.

Commissioner Piper called the meeting to order at 9:00 AM and began with the Pledge of Allegiance led by Commissioner Ahern.

Commissioner McLeod participated electronically, according to RSA 91-A: 2, with the reason being she was unable to attend the meeting in person. Electronic participation was at her request. It was noted that a roll call must take all votes.

HR Director Clough arrived and gave the following report: (* see attached)

Supt. Oakes arrived and presented bids.

Supt. Oakes stated that he received bids for the replacement of two (2) sections of the Administration Building Roof. The following bids were received:

Kendall Standing Seam – \$16,000
Premier Roofing - \$25,500

Supt. Oakes recommends selecting Kendall Standing Seam. He stated that they just finished the Alternative Sentencing roof and Gazebo and did a nice job.

MOTION: Commissioner Ahern moved to accept the bid of \$16,000 from Kendall Standing Seam. Commissioner McLeod seconded the motion. Commissioner Piper called the roll. Commissioner McLeod said “yes,” Commissioner Ahern said “yes,” and Commissioner Piper said “yes.” With three (3) votes in favor and none in opposition, the motion passed.

DoC Supt. Lethbridge arrived and gave the following report:

1. Reclassify Positions – Supt. Lethbridge explained that he is looking to reclassify the Dietary Manager and Assistant Dietary Director to certified officer positions and put them through the Corrections Academy. He stated that there are several advantages to this change. There is currently no officer assigned to security in the kitchen. He noted that there are no current issues, but given the issue of security within the kitchen, being the one area within the facility that has contraband, he feels this is a need. Supt. Lethbridge stated that he feels he is going to lose his two (2) current staff, as they have offers of employment elsewhere with higher pay. He added

that the facility is very short on female officers to perform certain tasks such as searches on female inmates. The estimated cost of this request is \$60,000 and can be absorbed into the budget, given the current vacancies. Supt. Lethbridge answered questions from the Commissioners.

MOTION: Commissioner Ahern moved to approve the request to convert the Dietary Manager position to Corporal and the Assistant Dietary Manager position to an officer position. Commissioner McLeod seconded the motion. Commissioner Piper called the roll. Commissioner McLeod said “yes,” Commissioner Ahern said “yes,” and Commissioner Piper said “yes.” With three (3) votes in favor and none in opposition, the motion passed.

2. Inmate Transfer—Supt. Lethbridge stated that Sullivan County has requested assistance with housing an inmate they were having difficulty housing. He explained that due to a warrant and hold placed out of state, this inmate is not eligible for outside work details but has been provided inside work details. He noted that this inmate has not caused any problems.

MOTION: Commissioner Ahern moved to approve the inmate transfer from Sullivan County as requested. Commissioner McLeod seconded the motion. Commissioner Piper called the roll. Commissioner McLeod said “yes,” Commissioner Ahern said “yes,” and Commissioner Piper said “yes.” With three (3) votes in favor and none in opposition, the motion passed.

3. Professional Standards Policy – Supt. Lethbridge stated that the DoC did not have a social media policy in place. Their Professional Standards Policy needed updating in other areas, but the main addition was the social media piece. He explained that there is a large issue nationwide with TikTok and people posting inappropriate content while wearing their government-issued uniforms. He does not want to discourage appropriate posting on platforms where someone does not get compensated, such as Facebook, and gave an example of an employee who may want to post a picture in a new uniform after a promotion. Supt. Lethbridge answered questions from the Commissioners.

MOTION: Commissioner Ahern moved to approve the revision to the Professional Standards Policy. Commissioner McLeod seconded the motion. Commissioner Piper called the roll. Commissioner McLeod said “yes,” Commissioner Ahern said “yes,” and Commissioner Piper said “yes.” With three (3) votes in favor and none in opposition, the motion passed.

Agenda Issues:

1. Commissioner Piper asked if everyone had a chance to read the minutes from the May 28th Public Hearing and the May 28th Commissioner Meeting. Commissioner Piper stated that she was not present at the Commissioner meeting but suggested a clarification in those minutes as a member of the public reading them. She stated that there was no reference in the minutes as to who H. Mrema was and what her connection was with the Harm Reduction Initiatives in the Alternative Sentencing report as there was no formal affiliation. H. Mrema was present at this

meeting and explained that she is employed by the ACLU, who has created the coalition made of a group of stakeholders that try to identify strategies around harm reduction. They also work in parallel with North Country Health Consortium and the Opioid Task Force. She further explained details of how she is working with these local agencies on harm reduction and what they are working on moving forward.

MOTION: Commissioner Ahern moved to approve the minutes from the May 28th Commissioner meeting as amended. Commissioner McLeod seconded the motion. Commissioner Piper called the roll. Commissioner McLeod “yes”, Commissioner Ahern “yes”, Commissioner Piper “abstained”. With the vote being two (2) in favor, one (1) abstention, and none in opposition, the motion passes.

MOTION: Commissioner Ahern moved to approve the minutes from the May 28th Public Hearing. Commissioner McLeod seconded the motion. Commissioner Piper called the roll. Commissioner McLeod said “yes,” Commissioner Ahern said “yes,” and Commissioner Piper said “yes.” With three (3) votes in favor and none in opposition, the motion passed.

Nursing Home Administrator Labore arrived and gave the following report: (*see attached)

1. NH Medicaid Rate Reduction – NHA Labore stated that the Nursing Home received news that they were not anticipating when they put the budget together. He explained that the budget assumed that the monies that were awarded through HB 1 and 2 in last year’s state budget cycle, were going to hold their reimbursement rate steady. The new Medicaid rate starting in July will be \$236.57 and that is a decrease from what they budgeted of \$20.16 for the first six (6) months of the fiscal year. He explained how the rate calculations work and what caused the reduction and stated that for the next four (4) rate cycles, or two (2) years, they are potentially looking at reductions because of the new calculation method. He stated that it is too late to course correct; they will have to ride the wave until it works itself out. He noted that the budget adjustment factor from the State at 28.76% is the highest it has ever been, and this is what affected the rate reduction the most. The Budget Adjustment Factor is used when there is not enough money in the state budget to meet the nursing home obligations. NHA Labore answered questions from the Commissioners.

Proshare Payment – CA Libby reported that when they initially received this year’s ProShare calculations, they were told that there was a balance due to the State of New Hampshire of just under \$25,000. She explained that the Proshare payment is a payment that the counties receive annually, and it is a supplemental payment meant to close the gap between the Medicaid expenses and revenue. She explained to the Commissioners how the payments are calculated and stated that for the FY2024 ProShare payment, they are reconciling the FY2022 audited cost report and the FY 2021 unaudited cost report. Between those reports, the nursing home's expenditures went down \$4 million, and this is not normal. CA Libby also explained that the percentage of their Medicaid residents in the census decreased from 74% to 62%, which hurts them as well. She went on to discuss the next steps in Proshare calculations and stated that they were told Grafton County was overpaid \$4.7 million in 2022 and that has to be collected. The

interim payment for 2024 was calculated at \$4.6 million, and the state needed to collect \$4.7 million, and that is where their payment to the state for this fiscal year came from. CA Libby stated that she and NHA Labore researched what would have caused this large decrease in expenditures and it came down to their Other Post Employment Benefits (OPEB). OPEB is a GASB (Governmental Accounting Standards Board) rule that the County must follow. The law requires the County to carry liability on their governmental-wide financial statements. The County hires an actuarial firm that calculates what that liability is going to be. The County's OPEB liability was \$49.6 million in 2021, which is the highest it has been. It has since decreased to \$25.3 million as of 2023 and that is because some of the actuarial assumptions have changed. CA Libby further explained that the Nursing Home picks up a portion of this expense on the Medicaid Cost Report. In 2021, the Nursing Home had an OPEB Nursing Home expense of \$3.1 million on the cost report, and in 2022, that decreased to \$11,437.00. She noted that this is a good thing, but she did not know that the OPEB expense was on the cost report and did not know that there was going to be this large reduction. This \$3 million reduction is where the biggest part of the reduction is in the reconciliation of their ProShare payment. In the FY2023 cost report, they reported a negative \$2.5 million expense, which further reduced their expenses. Submitting the OPEB expenses had a profound impact in both a good and bad way. She stated that she and NHA Labore have spoken with their former auditors as well as their current auditors and many other Counties, and they have discovered that Grafton County is the only county nursing home to report this expense on the cost reports because it is not required, as it is not an annual nursing home expense. NHA Labore and CA Libby spoke with DHHS and Grafton County has been allowed to remove the OPEB expense and submit an amended cost report for 2023. They have since done a recalculation and the County will now be receiving \$770,000 but noted that there is still a \$2 million loss in what was budgeted for. She stated that going forward they will no longer be reporting OPEB expenses.

CA Libby stated that NHA Labore has put in a lot of work to help address the problem that has been created. She noted that she is recommending that they reduce the amount of fund balance that will be used to reduce taxes because they cannot continue to use the higher amount to reduce taxes, and this has caused their tax rate to increase. NHA Labore explained changes that he has made in the budget to help as well. He stated that he originally proposed a daily average census of 108 and he is now going to propose a census of 116. He will add five (5) Vermont Medicaid residents and is proposing increasing the Veteran's line by one (1). NHA Labore added that he is going to increase the private pay line from fifteen (15) originally to seventeen (17), and that will include a rate increase for private pay residents of \$20 a day. The new rate will be \$355 per day for private pay and \$335 per day for semi-private. NHA Labore explained that those rates bring Grafton County to the middle of the pack on their rates. These changes will result in \$990,000 in additional revenue that they will be adding to the budget. NHA Labore noted that he made \$86,000 in reductions in the expense budget as well.

CA Libby stated that the Commissioners proposed budget had a 2.46% original tax increase and now they will have to talk to the Executive Committee about a potential 5.26% increase in the amount to be raised by taxes due to these unforeseen problems. Commissioner Piper stated that she does not believe this is the Commissioners' proposed budget. She is not okay in endorsing a 5.26% increase. CA Libby stated that this is not a new proposed budget, these are changes they suggest the Executive Committee make. She stated that she is recommending that they reduce

the amount of surplus used to offset taxes and that continuing to use a larger amount of surplus has to stop. She explained that her big picture concern is that they are trying to maximize the Nursing Home revenue, and this does not account for a rate decrease in January that they will likely receive. Budgeting themselves too tight to their revenue and expenses will not allow them to grow that fund balance back.

Commissioner Ahern stated that CA Libby and NHA Labore have done a fantastic job in dealing with this issue. CA Libby thanked NHA Labore for all the work he has done.

2. **OIG Audit of Emergency Power Systems** – NHA Labore stated that he was notified that Grafton County was selected as one of 100 nursing homes nationwide to be selected by the Federal Health and Human Services Department Office of Inspector General. Supt. Oakes has done a lot of work in getting the information they need. They intend to be onsite June 10th to see the emergency generator and Supt. Oakes will be available to answer questions. NHA Labore stated that he does not anticipate this being anything to negatively affect the nursing home. He feels this will ultimately be an update in CMS life safety code requirements in the next couple of years.

3. **New CMS Infection Prevention Regulation** – NHA Labore explained that this is for enhanced barrier precaution of residents who have multi-drug resistant organisms (MDRO) in their bodies. The point of this is going forward, residents who have certain MDROs and any staff who come into contact with these residents will have to wear gowns and gloves. He reported that there are twenty-five (25) residents that this will affect. This has been a recommendation from the CDC for the last two (2) years and CMS has now put it into action. He stated that there is a psychosocial piece to this and the residents that they will need to work through as well but noted that this is meant to protect all residents.

Agenda Items:

1. Commissioner Piper signed the following CDBG Paperwork:

- Close-out Agreement MicroCredit 2020
- Contract Amendment MicroCredit 2023
- Contract Amendment NHARDC 2023
- Contract LRPC Transformational Planning Grant
 - i. Drawdown Micro – GRDC \$7,948.54

Commissioner McLeod left the meeting.

2. July 5th—Office Closure Request—CA Libby requested that the Commissioners' Office be closed on Friday, July 5th. She stated that the staff would use earned time for that day.

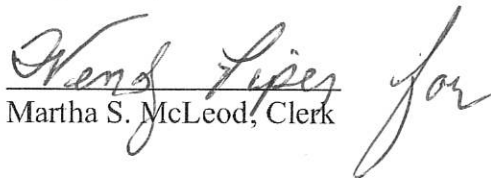
MOTION: Commissioner Ahern moved to close the Commissioners' Office on Friday, July 5th. Commissioner Piper seconded the motion and all were in favor.

3. Courthouse Facility Concern Summary – The Commissioners reviewed the summary prepared by Supt. Oakes for the Executive Committee. CA Libby stated that she would email this information to the Executive Committee. She will offer a tour to the Executive Committee as well and state that the Commissioners would like ARPA approval for the architectural and engineering design. CA Libby stated that Supt. Oakes talked to the architect; they said the space needs of the building would also create the need for an addition to the current building as well.

4. CA Libby stated that every year they have to send a letter to the Delegation requesting that they adopt the new rates for the Sheriff's Department. Sheriff Stiegler prepared the letter and she stated that she wanted to let the Commissioners review the letter.

11:32 AM With no further business, the meeting adjourned.

Respectfully Submitted,


Martha S. McLeod, Clerk

Grafton County Human Resources Report
 Karen Clough, Human Resources Director
 June 4, 2024

HR Activity Report (05/07/2024-06/02/2024)

• ***New Hires***

<u>Department</u>	<u>#</u>	<u>Position(s)</u>
Nursing Home	2 (1 FT, 1 PT)	1 FT Housekeeper, 1 PT Dietary Aide
DOC	1 (1 FT)	1 FT CO
Sheriff's Dept	1 (1 PT)	1 PT Bailiff

Separations

<u>Departments</u>	<u>#</u>	
Nursing Home	1 (1 FT)	1 FT LNA
Maintenance	1 (1 FT)	1 FT Custodian
DOC	1 (1 FT)	1 FT CO
Sheriff's Dept.	1 (1 PT)	1 PT Bailiff

Reasons:

- Resigned personal reasons/no reason-1
- Termination – 2
- Deceased -
- New job/career change – 1
- Relocated –
- School –
- Retirement –
- Not Reappointed -
- Not meeting Per Diem / Part Time Requirements -

Status Changes/ dept transfers: 2 Part time Unit Aides to Per Diem LNAs

Active Leave of Absences between May 7, 2024 to present

<u>Department</u>	<u>#</u>	
Nursing Home – Nursing	12	(11 are intermittent, 8 for self, 4 for family)
Nursing Home – Non-Nursing	7	(7 are intermittent, 5 for family, 2 self)
Sheriff's Dept/Dispatch.	2	(2 intermittent, 2 self)
County Atty's Office	3	(3 intermittent, 3 self)
HR Department	2	(1 intermittent, 1 family, 1 self)
Alternative Sentencing	1	(1 intermittent, 1 family)
Maintenance	2	(2 intermittent , 1 family, 1 self)

TOTAL

29

Current Jobs posted/advertised

LNA's/Unit Aides (27.75 FTE's vacant)

RN/LPN (10.95 FTE's vacant combined)

ADON

CO's (5 FTE's)

Housekeepers

Dietary Aide (1 FTE)

RN – DOC (2 FTE's)

Cook – Nursing Home

Skilled Maintenance Asst. (HVAC technician or Licensed Gas fitter)

Restorative/Rehab Nurse Manager

Other business: Benefits Fair held 5/22 – huge thank you to the HR Staff, Nancy and Deb for organizing and carrying out the fair. We had 99 employees sign into the fair.

In the enrollment process for the new health insurance – to date we have 198 applications with 71.2% enrolling in the Site of Service plan

Monthly Department of Corrections Activity Report

April 2024



Major Incidents:

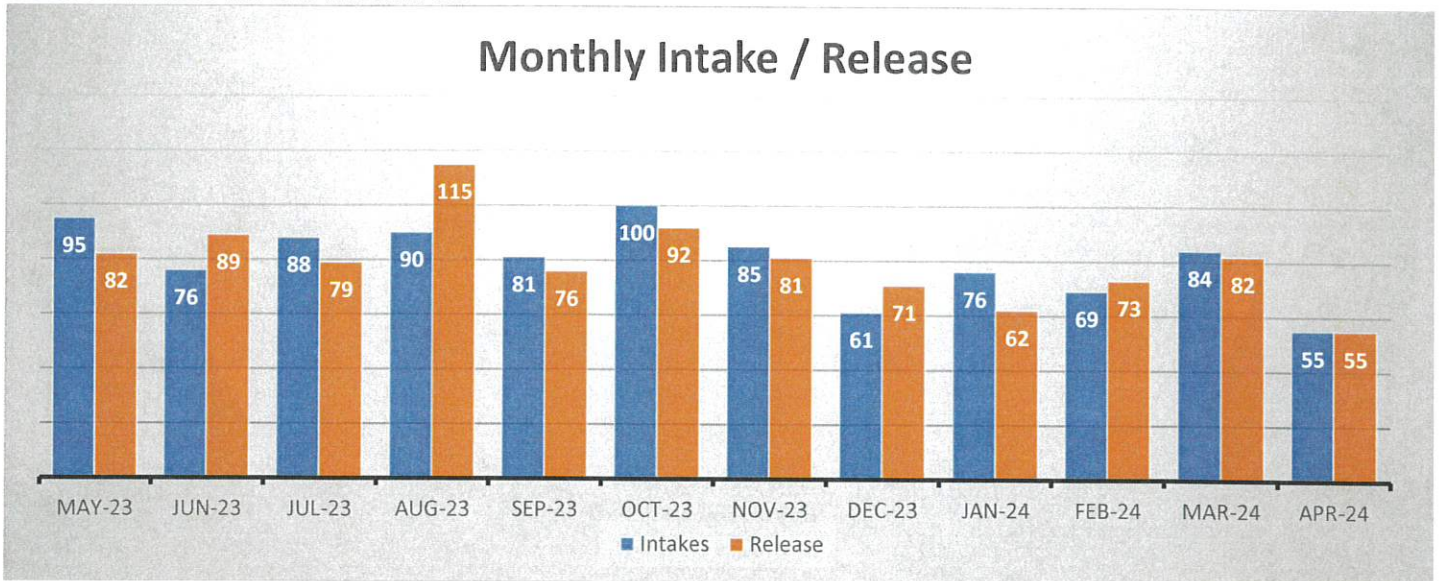
There were no major incidents in the Grafton County Dept of Corrections in April.

Population Data:

Total Intakes for the Month: **55** (Coos County Females:3)

Total Releases for the Month: **55**

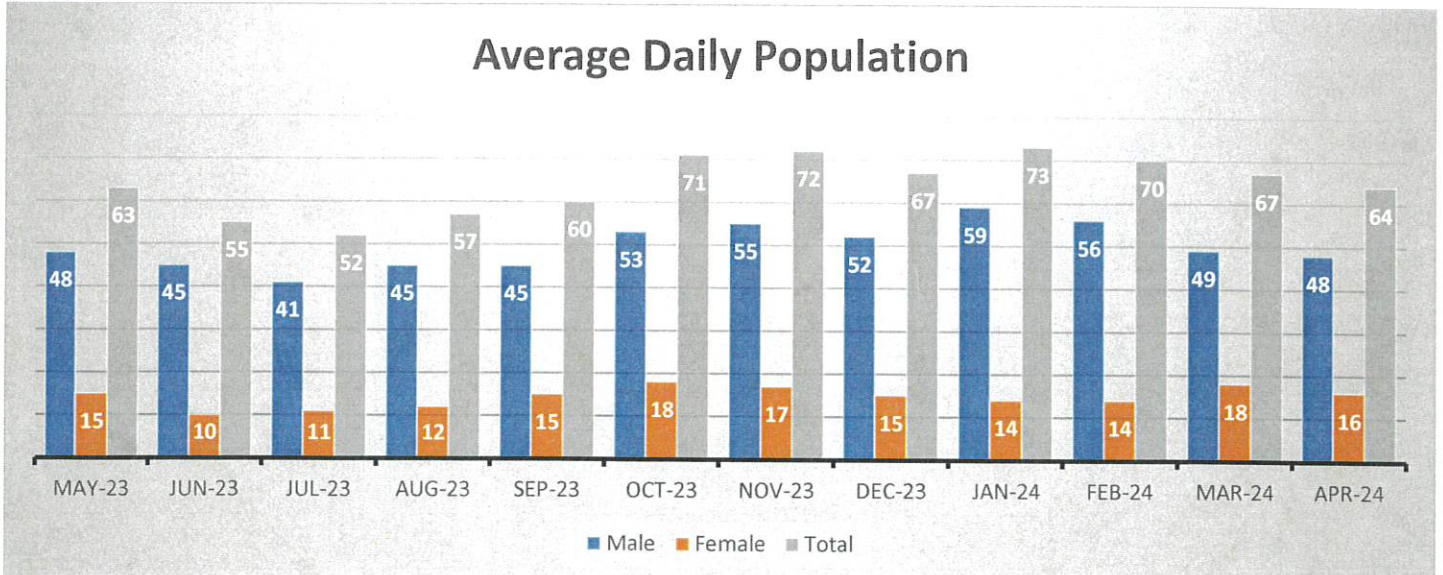
Monthly Intake / Release



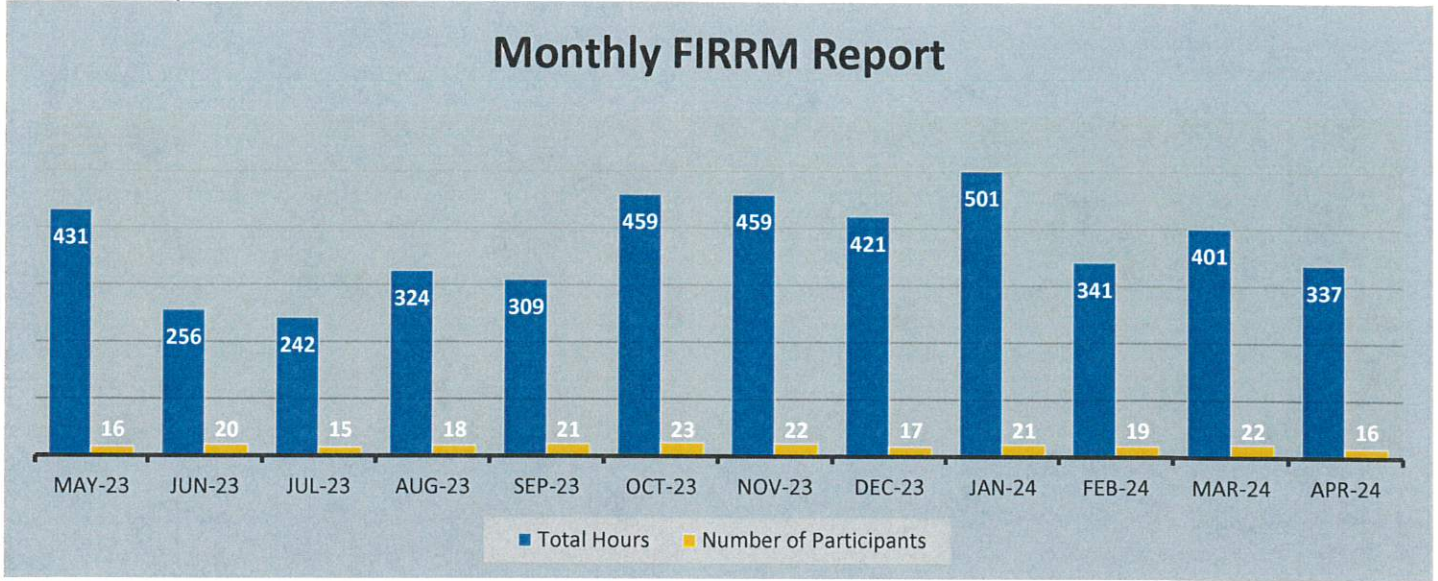
In House Average Daily Population for the Month: **64**

Male: **48** Female: **16**

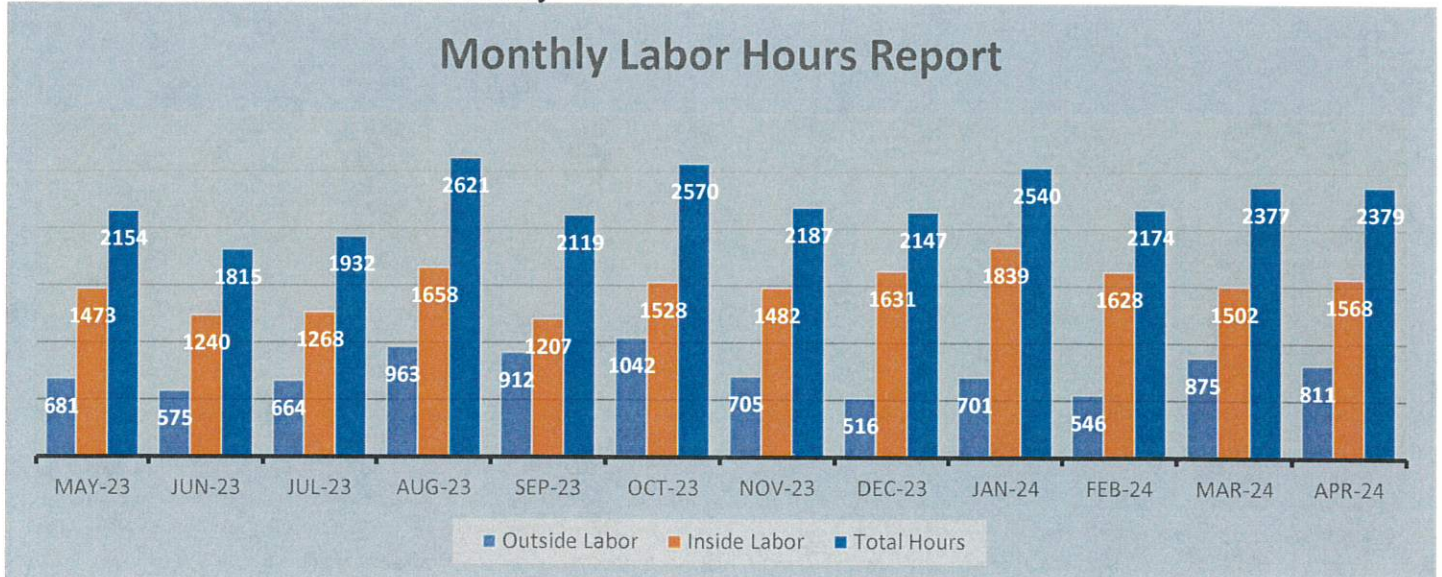
Average Daily Population



Inmates participating in FIRRM program during the month: **16**
 Total Participation Hours: **337**



Hours of inmate labor outside the facility: **811**
 Hours of inmate labor inside the facility: **1568**



Food Service:

Average per meal cost to feed each inmate: \$1.66. This was up \$.01 per meal from last month.

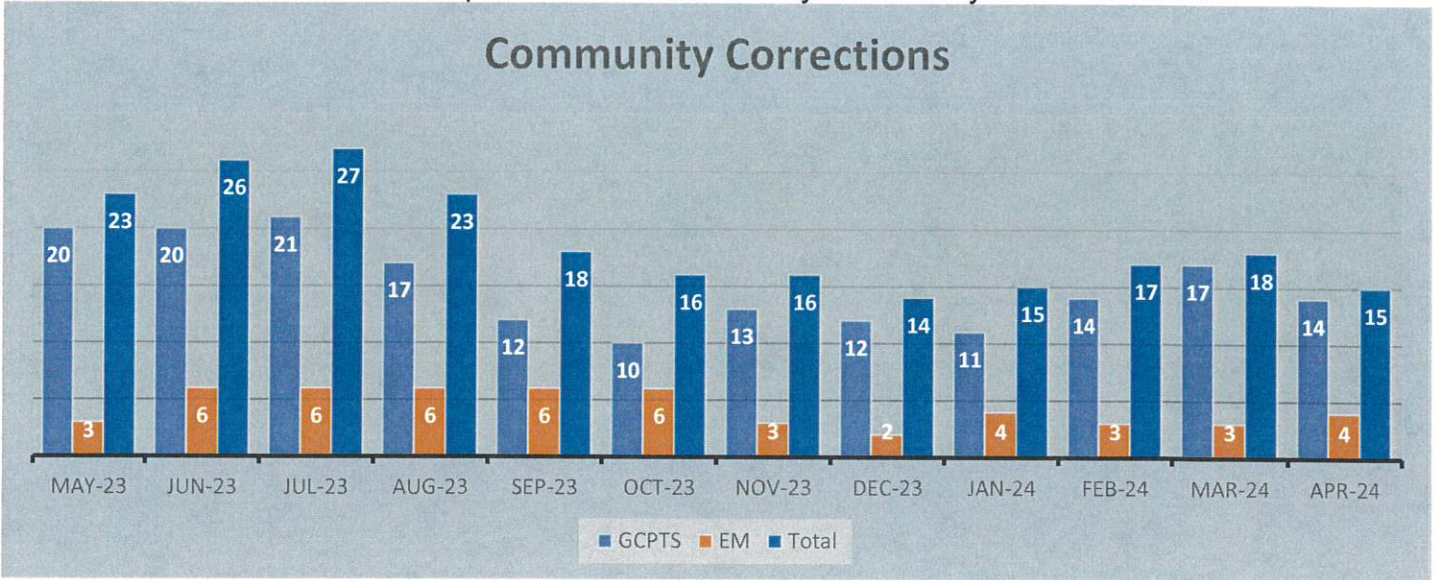
Medical:

Medical still has two nurse vacancies. The traveling nurse agreed to extend her contract by a few weeks, but filling nursing vacancies continues to be the most critical staffing problem.

Community Corrections:

Inmates supervised on Electronic Monitoring (including EM Pretrial Services): 4

Inmates on Pre-Trial Services supervised and checked by Community Corrections: 14



Staff:

New officer hires during the month: 1

New officer/supervisor vacancies during the month: 0

Total vacant officer positions at the end of the month (including supervisory rank): 4

Promotions during the month: 0

Other hiring/vacancies during the month: 0

Significant Developments and Achievements:

Grafton County DOC sent three officers to the Corrections Academy which graduated April 26th. Officer Anton, Officer Marcy, and Officer Plummer all completed the academy, passed their exams, and are now certified county corrections officers in New Hampshire. Two more academies are scheduled for 2024 and the DOC plans to have three cadets in each academy.



Significant Problems:

There were no significant problems in the Dept of Corrections in April.

Grafton County Nursing Home Commissioner's Report: June 4, 2024

Census

Medicare: 3
Medicaid: 85
VA: 6
Hospice: 1
Private: 17
Total: 112

FY '24 Budgeted Census

Medicare: 7
Medicaid: 68
VA: 4
Hospice: 0
Private: 19
Budgeted Census: 98

Monthly Admissions/Discharges

Admissions: 8
Deceased Residents: 3
Discharges: 4

Other Topics:

- 1) NH Medicaid Rate Reduction
- 2) OIG Audit of Emergency Power Systems
- 3) New CMS Infection Prevention Regulation