

## GRAFTON COUNTY COMMISSIONERS' MEETING

Administration Building

North Haverhill, NH 03774

July 2, 2024

PRESENT: Commissioners Piper, Ahern, and McLeod, County Administrator (CA) Libby

OTHERS: Nursing Home Administrator Labore, HR Director Clough, County Forester Frohn, Nick De Mayo – via Teams

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

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

#### Other Topics:

1. Change in Medical Director—NHA Labore stated that, as of last week, the Nursing Home had a change in the Medical Director. The Nursing Home is still partnering with Theoria Medical to provide the service. The previous director did not work out the way they wanted, and Theoria Medical was able to find a replacement. The new director will start next week.
2. LPN Program Internal Advertisement—NHA Labore stated that he has started discussing it with some of the staff, and there is some interest. Three (3) people are interested in learning more about it. He has released the official program guidelines, and they will see how many are interested.
3. LNA Class Recruitment – NHA Labore reported that there are eight (8) applicants for the next program. They will start interviewing them next week, and he is hopeful that the class will begin in August. NHA Labore noted that have also had six (6) recently licensed LNA students in addition to the class that graduated through the Nursing Home on June 25<sup>th</sup>. They are awaiting the final licensing, and once they are on board, the Nursing Home's LNA staff will look much better.

Commissioner Piper asked NHA Labore to give the update from the County State Finance meeting. NHA Labore reported that they were introduced to Karen Hebert, who is the head of Medicaid decisions. She spoke about trying to grasp where the issues are on the case management side of things. She discussed a new software service that will allow the ability to help oversee the process of where documents and decisions are. It will allow the nursing homes to help as a conduit for families who are submitting documents on their behalf. He stated that this will allow greater access to be able to see what is going on in the process and noted that he feels that is a piece that is currently missing.

NHA Labore reported that there were also discussions on the Medicaid Rate and the 2.89% average increase. All HB1 and HB2 monies were accounted for and appropriated into the operating budget according to DHHS, and there is nothing being held back. He reported that the

pending issue results from being off 10,000 bed days on the utilization because of pending cases. Those 10,000 bed days, in addition to \$15.5 million in back billing from nursing home transactions, resulted in being overspent. He stated that they were told that they should not expect a payout this upcoming fiscal year because DHHS may need the Executive Council to authorize a transfer from other lines within DHHS to fully fund the nursing home budget. NHA Labore further discussed the meeting details with the Commissioners and answered questions.

NHA Labore stated that there is a webinar this afternoon with DHHS on starting a PACE program, and he plans on participating. He feels like this is an attempt to put back out the RFP from last August, which was sent out, but no one knew about it.

### **County Forester Frohn – Timber Sale Bids**

The Commissioners opened bids for the Grafton County Farm Timber Sale. Three (3) bids were received as follows:

Timberwolf Logging - \$31,717.32  
North Country Forest Management - \$30,978.03  
Emerson and Sons Logging, LLC - \$17,756.08

Forester Frohn stated that these bids are the offers from these logging companies to purchase the timber. He added that this is not a lump sum sale; it is a cut or mill tally sale. He explained that the county will receive more revenue if more is cut than he estimated. He stated that he can only estimate so much. Forester Frohn answered questions from the Commissioners.

**MOTION:** Commissioner McLeod moved to accept Timberwolf Logging's bid of \$31,717.32. Commissioner Ahern seconded the motion, and all were in favor.

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

1. UE Local 278 Collective Bargaining Agreement—HR Director Clough stated that the bargaining unit in the Nursing Home has ratified this, and the Commissioners need to sign. CA Libby noted that there are no significant changes from the existing agreement. They negotiated the health insurance and the 3% COLA. The Commissioners signed the agreement.
2. Employee Handbook—HR Director Clough stated that the handbook is outdated. She tried to make the changes as simple as possible to understand and noted that many of the changes were language clarifications, most of which came from the County's employment law attorney.

Commissioner Ahern stated that he has an issue with including Elected Officials in the employee handbook. HR Director Clough stated that this is something that has been discussed, along with the problems they have had in the past and making sure Elected Officials are covered under that same code of conduct. Commissioner Ahern stated that he is an elected official and tries to conduct himself appropriately when he is here. This includes State Representatives, Senators, and other Elected Officials, and he feels this is setting the County up for lawsuits. He feels the wording should read "all employees". Commissioner Ahern stated that they are not hired by the County. They are hired by the voters. HR Director Clough stated that not having this in the handbook could also result in a lawsuit. CA Libby stated that the Commissioners discussed this



last time they reviewed the policy based on some of their issues. Commissioner Ahern stated that the County is denying his Second Amendment rights when he comes to the complex. CA Libby asked why an Elected Official differs from an employee when the employee is denied that same right. Commissioner McLeod stated that this is about the workplace and the expectations. HR Director Clough noted that not all freedoms are protected in the workplace, and the employer has that right. Commissioner Ahern stated that he agrees with employees. If an employee wants to work here, they must follow this handbook and know what it states.

Commissioner Piper read the following statement from the handbook regarding weapons.

“With the exception of law enforcement personnel, employees are not permitted to possess guns and other weapons while in County buildings or on the grounds immediately surrounding, without the specific preapproval of the employee’s department head.”

Commissioner Ahern stated that this section concerns employees and does not specify Elected Officials. He agrees with the code of conduct policy and is willing to concede some, but he wants to ensure that his constitutional rights as an Elected Official are not prevented under this policy.

CA Libby stated that these provisions have been put in the handbook, under the Standards of Conduct and Workplace Bullying, to address the past issues they have had with Elected Officials. HR Director Clough stated that no changes have been made to the weapons policy, and they have not had any issues with it. This is a policy that has already been approved by the Commissioners. Commissioner Ahern stated that they have added Elected Officials under the Standards of Conduct and Workplace Bullying, but it has not been added to the Weapons Policy. Commissioner Ahern indicated that he is okay with Elected Officials being added to the Standards of Conduct and Workplace Bullying, but he does not want his Second Amendment rights taken away.

HR Director Clough stated that concerning the policy on performance evaluations, she wanted to make sure it was clear that department heads could prorate the step increase. If an employee is not performing well and does not qualify for a step increase, they can be reevaluated in six (6) months and be eligible to receive the step, but it is not retroactive. Commissioner Piper stated that they have understood themselves as having a step-and-grade system, and it seems to her that it is semantics to all of a sudden call it a merit increase because it has not been. She stated that HR Director Clough has previously called it a merit increase, but she disagrees. Everything that she has been taught by HR was that they need to keep the step increases in the wage charts to keep their wage scales at market rate. She asked why it is now being changed to a merit increase. HR Director Clough stated that they are trying to make it consistent where it hadn’t been specified before. She stated that if Commissioner Piper prefers to say step increase, she will change it, as long as it uniformly states step increase. Commissioner Piper stated that she feels strongly that it is a step increase as she has been convinced by Administration, HR and the wage study that it is a step increase. She stated that she cannot support changing it to merit as it is called a step-and-grade system. Either they change the way the County does things, or they keep the language she has been taught that they have. Commissioner Piper noted that many of the changes in this policy come out of the conversation they had with HR Director Clough, where she agreed to put training in place for the department heads to conduct evaluations. The Commissioners further discussed it and agreed to have the policy throughout read step increase and not merit increase.



HR Director Clough further reviewed the revisions to the Employee Handbook and answered questions from the Commissioners.

Commissioner Ahern expressed further concerns that Elected Officials are considered employees. CA Libby stated that the definition of the Elected Official is employees who are elected by the citizens of Grafton County. She added that elected officials are considered employees for workers' compensation and are paid as Grafton County employees. Commissioner Ahern said he gets paid because he is an elected official, not an employee. He noted that this is very disturbing. Commissioner McLeod stated that she is comfortable with the wording because of the protections it offers them. Commissioner Piper noted that someone can object to Commissioner Ahern exercising his Second Amendment right by reading this policy. CA Libby stated that the problem she has is that Commissioner Ahern is singling himself out of the weapons policy to say he can carry a weapon, but no other employee can. Commissioner McLeod stated that this is about respect for everyone in the County. Commissioner Ahern noted that he would attend all Commissioner meetings via Zoom. Commissioner Piper asked about the definitions page and changing that because it currently says an elected official is an employee. If they are not employees, they are exempt from the policies unless specifically mentioned. Commissioner Piper and Commissioner Ahern agreed and requested that the definition of elected officials read, "Elected Officials refers to those who are elected by the citizens of Grafton County." Commissioner Piper stated that the weapons section does not apply to elected officials. HR Director Clough stated that the weapons policy has never been a problem, and it was irrelevant as to why she asked to have the handbook updated. She stated that if an employee has an issue, they can look into it.

**MOTION:** Commissioner McLeod moved to approve the revised Employee Handbook. Commissioner Ahern seconded the motion, and all were in favor.

### **Agenda Items:**

1. Commissioner Piper asked if everyone had a chance to read the June 25th minutes. Commissioner Piper stated that she had a couple of clarifications to the minutes.

**MOTION:** Commissioner McLeod moved to approve the June 25th minutes as amended. Commissioner Ahern seconded the motion, and all were in favor.

2. The Commissioners signed check registers 1189-1190.

3. CA Libby reported that the issue last week with the Multi-Factor Authentication was due to someone at SNS implementing MFA for the whole campus, which was not the plan or what was supposed to happen. SNS addressed it that day and allowed the Register of Deeds Office to access their emails. SNS has cleared that issue up and is moving forward with identifying what group of employees will be required to do Multi-Factor Authentication.

Commissioner Piper stated that the minutes from last week noted that the representative from SNS did not show up for their scheduled Commissioner Meeting. CA Libby stated that she had a quarterly check-in call with SNS on Wednesday, and those issues have been thoroughly discussed, and it will not happen again.

3. Request for Action – Register Monahan – CA Libby stated that Register Monahan has requested that she and her team member be allowed to tend to Ray Burton Park. They want to clean it, weed it, and possibly plant some annuals or perennials. CA Libby stated that she reached



out to Supt. Oakes because that falls under the Maintenance Department and he had no issues. He is happy if someone wants to invest their time, and he has funds within his budget to have plants purchased. His only request is that it be within the confines of the existing garden and not altered or changed in any way. CA Libby stated that it is all overgrown and needs to be weeded, but Maintenance does not have time to do the landscaping. Commissioner Ahern said he thought it looked fine and that his only suggestion was to plant a maple tree behind the memorial rock. He stated that he feels it looks fine as is. CA Libby stated that she respectfully disagrees. The Commissioners viewed the Ray Burton Park. Commissioner Piper asked why the decision was made in the first place to have the park designed as it is rather than having flowers and plants. CA Libby stated that she believes the decision was made to keep it simple but noted that it was set up to be landscaped. Commissioner McLeod stated that everything needs to be dug out and replaced. Commissioner Piper read from Register Monahan's memo and stated that she felt the request was submitted to get what Register Monahan stated in her memo that she originally wanted after a decision had been made and the design had been implemented. She asked about why the decision was made in the first place to have the Ray Burton Park designed the way it is. She asked where the money would come from and stated that it was not enough for her that Supt. Oakes is ok with it. CA Libby stated that Supt. Oakes has a Care of Grounds line, which is where the money would come from. Commissioner Ahern stated that the Master Gardeners should be the ones to fix it. CA Libby stated that the Master Gardeners are no longer at Grafton County as they cannot get anyone interested in the Haverhill area. CA Libby stated that weeds grow and these gardens need to be maintained. Commissioner Ahern stated that 4H clubs are always looking for opportunities.

**MOTION:** Commissioner McLeod moved to allow the Register of Deeds and her team members to tend to the Ray Burton Garden, to clean it, weed it, and possibly plant and tend to some tasteful annuals or perennials. There was no second to the motion.

Commissioner McLeod stated that this is something simple that someone is offering to do to make the grounds look nice. Commissioner Piper asked if they could agree to disagree.

4. Public Comment—Nick De Mayo asked about the step and merit discussion. He stated that the step increase seems to be automatic, while merit needs an evaluation by a supervisor. He thinks they must separate steps from merit so employees know how their pay and evaluations are done. N. De Mayo asked if there was a consideration for some of the inmates at the Department of Corrections to tend to the Ray Burton Garden. Commissioner Ahern stated that the inmates are needed on the farm right now.

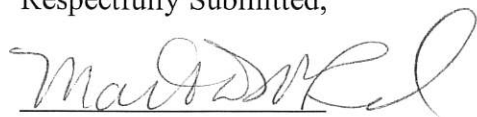
### **Commissioner Issues:**

1. Commissioner Piper stated that she attended the County State Finance Committee meeting on Friday. NHA Labore did a great job with the Medicaid Update earlier in the meeting. She added that there was discussion about the Medicaid Inmate Exclusion Policy. She explained that when someone is sentenced and serving time in their facility, all federal payments to them are suspended. Inmates do not receive Medicaid, so those costs fall on the County. This has been an ongoing issue that has not been resolved, yet. Commissioner Piper reported that at the meeting, Henry Lipman stated that there has been some opening up of that restriction. This suspension of Medicaid benefits will be lifted for the last 45 days of incarceration. This has to do with getting Medicaid care for any prescriptions someone needs to prevent recidivism. CMS would approve

discharge prescriptions, and the idea is to prevent reentry. This will start with the State Department of Corrections and then move to the County Departments of Corrections.

11:30 AM With no further business, the meeting adjourned.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Martha S. McLeod", written in black ink.

Martha S. McLeod, Clerk

# **Grafton County Nursing Home Commissioner's Report: July 2, 2024**

## **Census**

Medicare: 4  
NH Medicaid: 56 (11 Pending)  
VT. Medicaid: 15 (1 Pending)  
VA: 7  
Hospice: 1  
Private: 16  
**Total: 111**

## **FY '25 Budgeted Census**

Medicare: 3  
NH Medicaid: 69  
VT. Medicaid: 20  
VA: 7  
Hospice: 0  
Private: 17  
**Budgeted Census: 116**

## **Monthly Admissions/Discharges**

Admissions: 5  
Deceased Residents: 3  
Discharges: 1

## **Other Topics:**

- 1) **Change In Medical Director**
- 2) **LPN Program Internal Advertisement**
- 3) **LNA Class Recruitment**

Grafton County Human Resources Report  
Karen Clough, Human Resources Director  
July 2, 2024

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

• ***New Hires***

<u>Department</u>	<u>#</u>	<u>Position(s)</u>
Nursing Home	5 (1 FT, 2 PT, 2 Per Diem)	1 FT Dietary Aide, 2 PT Dietary Aide, 2 Per Diem LNA
Sheriff's Dept	1 (1 FT)	1 FT Deputy

***Separations***

<u>Departments</u>	<u>#</u>	
Nursing Home	3 (2 FT, 1 PT)	1 FT LNA, 1 PT LNA, 1 FT RN

***Reasons:***

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

***Status Changes/ dept transfers: 1 FT CO to PT CO, 1 FT Communications Supervisor to Deputy Communications Director, 2 PT Dietary Aide to Per Diem LNA, 1 FT LNA to FT RN, 1 Per Diem LNA to FT LNA***

***Active Leave of Absences between June 2, 2024 to present***

<u>Department</u>	<u>#</u>	
Nursing Home – Nursing	14	(10 are intermittent, 7 for self, 7 for family)
Nursing Home – Non-Nursing	10	(9 are intermittent, 7 for family, 3 self)
Sheriff's Dept/Dispatch.	2	(2 intermittent, 2 self)
County Atty's Office	3	(3 intermittent, 3 self)
HR Department	3	(2 intermittent, 2 family, 1 self)
Alternative Sentencing	1	(1 intermittent, 1 family)
Maintenance	2	(2 intermittent , 1 family, 1 self)
Registry of Deeds	1	(1 Family)
Department of Corrections	1	(1 Self)
Commissioners' Office	1	(1 intermittent family)
<b>TOTAL</b>	<b>38</b>	

**Scheduled to Orient 07/03/2024**



1 FT LNA  
1 Per Diem LNA

**Current Jobs posted/advertised**

LNA's/Unit Aides (29.15 FTE's vacant)  
RN/LPN (10.95 FTE's vacant combined)  
ADON  
CO's (5 FTE's)  
Housekeepers  
Dietary Aide  
RN – DOC (2 FTE's)  
Cook – Nursing Home  
Skilled Maintenance Asst. (HVAC technician or Licensed Gas fitter)  
Custodian  
Deputy  
Dispatcher

Other business: Employee Handbook approval, UE Local 278 Collective Bargaining Agreement, Employee Discounted tickets @ Clark's Trained Bears, transition to new health insurance completed w/ 71.2% enrolling in the Site of Service Plan