

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
White Mountain National Forest Headquarters, Campton, NH
August 11, 2010, 10:00 a.m.

The Governor and Executive Council convened at 10:00 a.m. with all members present.

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The Governor and Executive Council on motion of Councilor Hollingworth, seconded by Councilor Shea, accepted the minutes of July 28, 2010.

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The Governor and Executive Council, on motion of Councilor Shea, seconded by Councilor Burton approved the appointment of several persons nominated for Civil Commissions from the July 28, 2010 meeting.

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The Governor placed in nomination the several persons who applied for Civil Commissions.

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RESIGNATIONS

The Governor and Council, with regret, accepted the following resignations:

State Committee on Aging

(Rockingham County)

Gerri Beck, Salem

Effective: August 11, 2010

Community College System Board of Trustees

(Alumni Member)

Amy Rice, New Boston

Effective: August 11, 2010

Connecticut River Valley Resource Commission

(Public Member)

John B. Tucker, New London

Effective: August 11, 2010

Special Justice – Colebrook District Court

James E. Michalik, Colebrook

Effective: September 3, 2010

Mount Washington Commission

Guy Gosselin, Gorham

Effective: August 11, 2010

Director of the Division of Travel and Tourism, Department of Resources and Economic Development

Alice DeSouza, Bedford

Effective: August 11, 2010

Water Council

(Public Member)

John F. Bridges, Wolfeboro

Effective: August 11, 2010

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Architects

Christopher P. Williams, Meredith

Reappointment

Effective: September 9, 2010

Term: September 9, 2015

Business Finance Authority

James M. Halepis, Stratham

Succeeding: Katherine Williams Kane, New Castle (resigned)

Effective: August 11, 2010

Term: November 3, 2012

Board of Dental Examiners

A. Joseph Williams III, Nashua

Succeeding: Gerald A. Smith, Bow

Effective: August 11, 2010

Term: July 15, 2015

Enhanced 911 Commission

Nominated by the NH Association of Fire Chiefs
Douglas M. Aiken, Moultonborough
Reappointment

Effective: August 11, 2010
Term: July 8, 2013

State Board of Fire Control

(Chief of Municipal Fire Department)
Daniel L. Andrus, Bow
Reappointment

Effective: August 11, 2010
Term: July 8, 2015

Board of Foresters

(Private Forester)
Thomas Hahn, Ashland
Reappointment

Effective: August 22, 2010
Term: August 22, 2015

State Historical Records Advisory Board

Sally Fellows, Exeter
Succeeding: William E. Ross, Dover

Effective: August 11, 2010
Term: January 2, 2012

Commissioner of the Department of Labor

George N. Copadis, Manchester
Reappointment

Effective: August 30, 2010
Term: August 30, 2013

Lakes Management Advisory Committee

(Member of a Conservation Commission)
Diane Hanley, Gilford
Reappointment

Effective: August 22, 2010
Term: August 22, 2013

State Commission on the Status of Men

Elaine Holden, Peterborough
Reappointment

Effective: September 1, 2010
Term: September 1, 2013

New Motor Vehicle Arbitration Board

(Alternate - Knowledgeable in Auto Mechanics)
George F. Dykstra, Chichester
Reappointment

Effective: August 11, 2010
Term: May 26, 2013

New Motor Vehicle Arbitration Board

(Knowledgeable in Auto Mechanics)
Robert N. Stephen, Franklin
Reappointment

Effective: August 28, 2010
Term: August 28, 2013

Nashua Police Commission

Thomas J. Pappas, (d), Nashua
Reappointment

Effective: September 1, 2010
Term: September 1, 2013

Postsecondary Education Commission

(Representing St. Anselm's College)
(on Recommendation of NH College and University Council)
Jonathan DeFelice, Manchester
Reappointment

Effective: August 11, 2010
Term: June 30, 2015

New Hampshire Retirement System Board of Trustees

Nominated by the NH Police Association
Dean Crombie, Somersworth
Reappointment

Effective: August 11, 2010
Term: July 1, 2012

Water Council

(Treatment Plant Operator)
Malcolm R. Butler, Hillsborough
Reappointment

Effective: August 22, 2010
Term: August 22, 2014

Water Council

(Granite State Designers & Installers Association)
Deborah Lynn Hinds, Boscawen
Reappointment

Effective: August 11, 2010
Term: June 13, 2014

NOMINATIONS

The Governor placed into nomination the following:

Adult Parole Board

Jeffrey M. Brown, Seabrook
Succeeding: George Iverson, Hampton (term limited)

Effective: Upon confirmation
Term: March 8, 2015

Adult Parole Board

Megan DeVorsey, Concord
Succeeding: George Khoury, Salem (resigned)

Effective: Upon confirmation
Term: July 1, 2013

Historical Resources Council

(Public Member)
Molly Bolster, Portsmouth
Succeeding: Gail Colgiazier, Londonderry (resigned)

Effective: Upon confirmation
Term: December 10, 2011

Land and Community Heritage Authority

(Regional Planning)
Cynthia Copeland, Newmarket
Succeeding: Tim Murphy, Keene, (term limited)

Effective: Upon confirmation
Term: September 6, 2013

Land and Community Heritage Authority

(Local Planning)
William Norton, Concord
Reappointment

Effective: Upon confirmation
Term: September 6, 2014

Landscape Architects

Anne Cruess, Amherst
Reappointment

Effective: Upon confirmation
Term: August 9, 2015

Board of Mental Health Practice

(Public Member)
Karen Peterson Griswold, Bedford
Succeeding: Kathleen A. Sternenberg, Hopkinton

Effective: Upon confirmation
Term: February 17, 2011

Merrimack River Valley Flood Control Commission

Merton L. Mann, Dunbarton
Reappointment

Effective: Upon confirmation
Term: March 1, 2013

Midwifery Council

(Midwife)
Cilia Bannenberg, Barrington
Reappointment

Effective: September 28, 2010
Term: September 28, 2014

New Motor Vehicle Arbitration Board

(Alternate - New Car Dealer)

Amanda Osmer, Canterbury

Succeeding: Donna Gaudet Hosmer, Laconia

Effective: Upon confirmation

Term: February 1, 2012

Occupational Therapy Governing Board

(Public Member)

Barbara Richardson, Concord

Reappointment

Effective: Upon confirmation

Term: August 18, 2013

Volunteer NH Board of Directors

Sherry Nannis, Manchester

Vacancy

Effective: Upon confirmation

Term: September 22, 2013

Volunteer NH Board of Directors

Robin Wells, Epsom

Vacancy

Effective: Upon confirmation

Term: September 22, 2013

Water Council

(NH Association of Septage Haulers)

Nominated by the NH Association of Septage Haulers

William A. Gosse, Center Barnstead

Succeeding: Robert S. Phillips, New Boston

Effective: Upon confirmation

Term: June 27, 2014

#1 **CONSENT CALENDAR - DONATIONS:****NEW HAMPSHIRE VETERANS HOME**

- A. Authorized to accept monies totaling \$50,079.98 received during the period of April 1, 2010 through June 30, 2010, as a result of fundraising drives from various organizations and from personal contributions.

BUSINESS FINANCE AUTHORITY

#2 The Governor and Executive Council on motion of Councilor Hollingworth, seconded by Councilor Shea and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from The Provident Bank to Palmer & Sicard, Inc. located in Exeter, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON AUGUST 11, 2010
WHITE MOUNTAIN NATIONAL FOREST OFFICE, CAMPTON, NEW HAMPSHIRE**

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At approximately 11:03 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by The Provident Bank to Palmer & Sicard, Inc. and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project and stated that a hearing had been held in Concord that morning at 8:30 a.m. and no one had attended. The Governor then repeated that the proceedings were a public hearing and asked

whether any other person wished to speak; there being none, Councilor Hollingworth introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDED A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM THE PROVIDENT BANK TO PALMER & SICARD, INC." and moved its adoption, which was seconded by Councilor Shea. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM
THE PROVIDENT BANK TO
PALMER & SICARD, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to \$750,000 from The Provident Bank to Palmer & Sicard, Inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 11, 2010.

#3 The Governor and Executive Council on motion of Councilor Shea, seconded by Councilor Hollingworth and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wiczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Merrimack County Savings Bank to BittWare, Inc. located in Concord, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON AUGUST 11, 2010
WHITE MOUNTAIN NATIONAL FOREST OFFICE, CAMPTON, NEW HAMPSHIRE**

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At approximately 11:07 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by Merrimack County Savings Bank. to BittWare, Inc. and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project and stated that a hearing had been held in Concord that morning at 8:30 a.m. and no one had attended. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Shea introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM MERRIMACK COUNTY SAVINGS BANK TO BITTWARE, INC." and moved its adoption, which was seconded by Councilor Hollingworth. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARING A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM
MERRIMACK COUNTY SAVINGS BANK TO
BITTWARE, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to thirty-seven and one half percent (37.5%) of the principal amount of a loan up to \$1,000,000 from Merrimack County Savings Bank to BittWare, Inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed thirty- seven and one half percent (37.5%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 11, 2010.

#4 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Hollingworth and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the contract (“Capital Access Program: Lender Participation Agreement”) with Passumpsic Savings Bank. Action will Authorized Resolutions under RSA 162-A:18 to determine the contract will serve a public use, provide public benefit, the proposed participating bank is qualified to participate, appropriate measures have been taken to ensure CAP loans will be made under the requirements of the Act, the contract complies with RSA 162-A:12, and reasonable precautions have been made to minimize loss, all within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON AUGUST 11, 2010
WHITE MOUNTAIN NATIONAL FOREST OFFICE, CAMPTON, NEW HAMPSHIRE**

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At approximately 11:12 a.m., the Governor announced that the next matter to be considered would be the proposed contract entitled “Capital Access Program: Lender Participation Agreement” with the following bank: Passumpsic Savings Bank and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed execution of the agreement. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the proposed contract and stated that a hearing had been held in Concord that morning at 8:30 a.m. and no one had attended. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED ‘CAPITAL ACCESS PROGRAM : LENDER PARTICIPATION AGREEMENT’ OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE BY PASSUMPSIC SAVINGS BANK” and moved its adoption, which was seconded by Councilor Hollingworth. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED
"CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT"
OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE
BY PASSUMPSIC SAVINGS BANK**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have previously, upon recommendation of the Business Finance Authority of the State of New Hampshire (the "Authority"), approved the Authority's standard contract entitled "CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT" (the "Standard Contract") by resolution dated September 2, 1992 (the "Approving Resolution"); and

WHEREAS, at the time of such approval of the Standard Contract, the Governor and Council made, upon recommendation of the Authority, certain findings and determinations pursuant to RSA 162-A:18 with respect to the approval of the Standard Contract, which findings and determinations are stated in the Approving Resolution;

WHEREAS, in the Approving Resolution, the Governor and Council authorized the Authority to take necessary and appropriate steps to cause the execution of the Standard Contract with qualifying State banking institutions; and

WHEREAS, acting pursuant to the direction of the Authority, the Executive Director of the Authority has received interest from Passumpsic Savings Bank (the "Specific Bank") to execute the Standard Contract and participate in the Authority's Capital Access Program through such execution; and

WHEREAS, the Executive Director of the Authority has examined such information as he has deemed necessary and appropriate and has determined that the Specific Bank is a duly organized bank or trust company authorized to make loans and accept deposits in the State of New Hampshire and accordingly is qualified to execute the Standard Contract and participate in the Capital Access Program;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed execution of the Standard Contract which they have requested;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and assuming (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council hereby find:

(a) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will serve a public use and provide a public benefit.

(b) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract is within the policy of, and the authority conferred by RSA Chapter 162-A.

(c) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(d) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

(e) Appropriate measures have been taken to ensure that a the Specific Bank participating under the terms of such Standard Contract makes only loans which meet the requirements of RSA 162-A:12, IV.

(f) The Standard Contract complies with RSA 162-A:12, III.

(g) Reasonable precautions have been taken to minimize the risk of loss to any reserve fund which is established under the terms of the proposed Standard Contract.

(h) The Specific Bank is qualified to execute the Standard Contract and to participate under the terms of such Standard Contract and the applicable provisions of RSA Chapter 162-A.

2. Approval. Subject to (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council approve the proposed execution of the Standard Contract by the Authority and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 11, 2010.

#5 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Hollingworth and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for Weeks Medical Center located in Lancaster, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL
HELD AUGUST 11, 2010 AT THE WHITE MOUNTAIN NATIONAL FOREST OFFICE,
CAMPTON, NEW HAMPSHIRE**

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At 11:16 a.m., the Governor announced that the next matter to be considered would be the financing of the commercial facility project by the Business Finance Authority for Weeks Medical Center and declared that the public hearing on the subject had been commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Michael B. Donahue, Senior Credit Officer of the Authority, stated that a hearing had been held in Concord that morning at 8:30 a.m. and no one had attended. He then briefly explained the project and emphasized that the credit of the State was not involved. The Governor explained that this meeting constituted the public hearing in compliance with Federal law and asked whether any other person wished to speak. There being none, Councilor Burton introduced a resolution entitled “A RESOLUTION AUTHORIZING \$10,000,000 FOR WEEKS MEDICAL CENTER” and

moved its adoption, which was seconded by Councilor Hollingworth. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION AUTHORIZING
\$10,000,000 FOR WEEKS MEDICAL CENTER**

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the refinancing of existing debt and the financing of commercial facilities for Weeks Medical Center (the "Hospital") located in Lancaster, New Hampshire (the "Facility") by the Authority's issue of Revenue Bonds, Weeks Medical Center Issue, Series 2010 in an aggregate principal amount not to exceed \$10,000,000 (the "Bonds") under RSA 162-I (the "Act");

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction which they have requested; and

WHEREAS, further action by the Authority with respect to the transaction is subject to the passage of this resolution and cannot be taken until after its passage;

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special findings:

(1) The Bond proceeds, together with other available funds of the Hospital, will be used to (i) refund the outstanding New Hampshire Health and Education Facilities Authority Revenue Bonds, Weeks Medical Center Issue, Series 2005A and New Hampshire Health and Education Facilities Authority Taxable Revenue Bonds, Weeks Medical Center Issue, Series 2005B, (ii) pay, or reimburse the Hospital for paying, a portion of the costs of acquiring, constructing, renovating and equipping capital projects with respect to the Hospital's health care facilities (the "Project"), (iii) restructure existing hedge positions; and (iv) to pay certain costs associated with issuance of the Bonds. For a detailed description of the Project, see Exhibit A attached hereto.

(2) The operation of the Facility will create and preserve employment opportunities directly and indirectly within the State of New Hampshire (the "State").

(b) General findings:

(1) The Project and the proposed financing thereof is feasible;

(2) The Hospital has the skills and financial resources necessary to operate its Facility successfully;

(3) The Loan and Security Agreement by and among the Authority, the Hospital, People's United Bank, as Disbursing Agent and Passumpsic Savings Bank, as Bondholder (the "Agreement") contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay Project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from proceeds of the Bonds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreement does not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit, and the Governor and Council determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.
Passed and agreed to August 11, 2010.

The Project

The Bonds are being issued for purposes of (i) refinancing the tax-exempt New Hampshire Health and Education Facilities Authority Revenue Bonds, Weeks Medical Center Issue, Series 2005A and New Hampshire Health and Education Facilities Authority Taxable Revenue Bonds, Weeks Medical Center Issue, Series 2005B (the "Refunded Bonds"); (ii) paying, or reimbursing the Hospital for paying, the costs of improvements to the Hospital's main campus located at 173 Middle St., Lancaster, New Hampshire and professional facility located at 170 Middle St., Lancaster, New Hampshire, including the construction and equipping of an approximately 6,500 sq. ft. structure to house a biomass wood chip burning plant and new electrical transmission equipment together with improvements to the Hospital's environmental and electrical infrastructure (the "Facility"); (iii) to make payments on qualified hedges; and (iv) paying certain costs incurred in connection with the issuance of the Bonds. The Facility is or will be owned and operated by the Hospital.

Proceeds of the Refunded Bonds, together with an equity contribution of the Hospital, were applied to finance (i) the acquisition of a seven-acre parcel of land located at 8 Clover Lane, Whitefield, New Hampshire and, on such parcel of land, the construction, furnishing, and equipping of a new, approximately 33,084 square, two-level, outpatient facility (the "2005 Facility"); (ii) the Hospital's capital expenditures related to maintaining and equipping existing facilities on its main campus; (iii) payment of costs of issuance of the Refunded Bonds; (iv) the payment of credit enhancement costs with respect to the Refunded Bonds; and (v) the refinancing of existing indebtedness of the Hospital which financed general equipment, renovations and construction on the main campus, payment of costs of issuance of such indebtedness and capitalized interest. The 2005 Facility and existing facilities are owned and operated by the Hospital.

#6 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Federal Savings Bank to AST Realty Corporation, Inc. located in Bedford, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON AUGUST 11, 2010
WHITE MOUNTAIN NATIONAL FOREST OFFICE, CAMPTON, NEW HAMPSHIRE**

* * * * *
At approximately 11:18 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Federal Savings Bank to AST Realty Corporation, Inc., and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project and stated that a hearing had been held in Concord that morning at 8:30 a.m. and no one had attended. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Shea introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM FEDERAL SAVINGS BANK TO AST REALTY CORPORATION, INC." and moved its adoption, which was seconded by Councilor Hollingworth. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13
WITH RESPECT TO A LOAN FROM
FEDERAL SAVINGS BANK TO AST REALTY CORPORATION**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to eighty percent (80%) of the principal amount of a loan up to \$1,250,000 from Federal Savings Bank to AST Realty Corporation pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed eighty percent (80%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and insure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 11, 2010.

#7 The Governor and Executive Council on motion of Councilor Shea, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Federal Savings Bank to Technical Research & Manufacturing, Inc. located in Bedford, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON AUGUST 11, 2010
WHITE MOUNTIAN NATIONAL FOREST OFFICE, CAMPTON, NEW HAMPSHIRE**

* * * * *

At approximately 11:21 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by Federal Savings Bank. to Technical Research & Manufacturing, Inc. and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project and stated that a hearing had been held in Concord that morning at 8:30 a.m. and no one had attended. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM FEDERAL SAVINGS BANK TO TECHNICAL RESEARCH & MANUFACTURING, INC." and moved its adoption, which was seconded by Councilor Burton. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM
FEDERAL SAVINGS BANK TO
TECHNICAL RESEARCH & MANUFACTURING, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to \$250,000 from Federal Savings Bank. to Technical Research & Manufacturing, Inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 11, 2010.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#8 Authorized to **retroactively** amend a grant agreement with the Town of Colebrook, NH, in the amount of \$109,400, (previously approved by G&C on 8-13-08), to help municipalities solve development problems, by extending the completion date to December 31, 2010 from December 31, 2009. No Additional Funding. **100% Federal Funds.**

#9 Authorized to **retroactively** amend a grant agreement with the Town of Hampton, NH, in the amount of \$500,000, (previously amended by G&C on 8-19-09, item #6), to help municipalities solve development problems, by extending the completion date to June 30, 2011 from June 30, 2010. No Additional Funding. **100% Federal Funds.**

#10 Authorized to award a grant to the County of Rockingham, Brentwood, NH, to renovate and upgrade the family building at the Cross Roads House Shelter, in the amount of \$191,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#11 Authorized to award a grant to the City of Berlin, NH, to support public infrastructure construction to assist the Gorham Paper Mill to become energy efficient and retain over 200 jobs, in the amount of \$500,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

DEPARTMENT OF STATE

#11A The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to appoint Brian N. Burford, Antrim, NH, as State Archivist, at a salary of \$59,120 (Group EE, Minimum). Effective September 1, 2010.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#12 Authorized that James A. Hanson III, Epsom, NH, be confirmed to the rank of Major, NH Army National Guard.

#13 Authorized that Lieutenant Colonel Thomas L. Jackson, Concord, NH, be confirmed for appointment to the rank of Lieutenant Colonel, NH Air National Guard.

#14 Authorized that Lieutenant Colonel John F. Carlson, Cornish Flat, NH, be confirmed for appointment to the rank of Lieutenant Colonel, NH Air National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#15 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Pro Con Inc., Hooksett, NH, for the design/build of Liquor Store #69, Nashua, NH, in an amount not to exceed \$3,372,740. (2)Further authorized a contingency in the amount of \$337,274 for unanticipated expenses, bringing the total to \$3,710,014. (3)Further authorized the amount of \$54,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$3,764,014. Effective upon G&C approval through September 9, 2011. **100% Other Funds.**

#16 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Turnstone Corporation, Milford, NH, for Supreme Court Parking Lot and Americans with Disabilities Act (ADA) improvements in an amount not to exceed \$441,000. (2)Further authorized a contingency in the amount of \$35,000 for unanticipated expenses for the Supreme Court Parking Lot, bringing the total to \$476,000. (3)Further authorized a contingency in the amount of \$15,000 for unanticipated expenses for the ADA Improvements, bringing the total to \$491,000. Effective upon G&C approval through May 15, 2011. **100% Capital Funds.**

#17 Authorized to enter into a three year License for Use Agreement for the rental of the boiler plant at the Governor Hugh Gallen Office Park to Concord Steam Corporation, Concord, NH, for an amount not to exceed \$301,546.80. Effective September 1, 2010 through August 31, 2013.

#18 Authorized the Bureau of Court Facilities to accept a gift, valued at \$41,640.10, for the rent and operating costs of the Milford District Court. Effective July 1, 2010 to December 30, 2010. (2)Further authorized to enter into a four-month Holdover Amendment with Sal's Kitchen Realty, Lawrence, MA, for courtroom and office space for the Milford District Court, for an amount not to exceed \$18,693.40. Effective September 1, 2010 through December 30, 2010. **86% Other Agencies, 2% Agency Income, 12% General Funds.**

#19 Authorized to amend a contract with Northern New England Telephone Operations LLC d/b/a Fairpoint Communications NNE, Charlotte, NC, (previously amended by G&C on 2-18-09), for communications network services. Effective upon G&C approval through October 8, 2012. Funding shall be provided through individual agency expenditures.

#19A Authorized the Bureau of Court Facilities to accept a gift of rent valued at approximately \$12,192.60, from the Town of Colebrook, for the Colebrook District Court. Effective July 1, 2010 through June 30, 2011.

#19B Authorized Financial Data Management to continue two Financial Data Specialist I positions, labor grade 26 in a temporary status through June 30, 2011. **94% General, 6% Transfer from Other Agencies.**

#19C Authorized \$167,879,802 be lapsed from the Working Capital Warrant for the month of July (11-01). (2)Further authorized a Working Capital Warrant in the amount of \$500,000,000 to cover expenditures for the month of September.

#19D Authorized to enter into a lease agreement with Independent Wireless One Lease Realty Corporation, Overland Park, KS, to site a cellular communications tower on the smokestack located at the Governor Hugh Gallen Office Park. Revenues of \$124,983.66 are to be realized by the State with \$86,178.06 to be recognized as unrestricted General Fund revenue, with the balance of \$38,805.60 as Agency Income. Effective September 1, 2010 through August 31, 2015. (2)Further authorized to accept and expend Tower Lease Space funds in the amount of \$10,000. Effective upon G&C approval through June 30, 2011. (3)Further authorized to pay Concord Steam an amount not to exceed \$38,805.60 for shared cellular tower rental of the Steam Plant Smoke Stack, during the time of their steam plant lease. Effective September 1, 2010 through August 31, 2013. **100% Agency Income.**

#19E Authorized to **retroactively** amend a current contract with Easter Seals NH Inc., Manchester, NH, for employee shuttle service for state employees who work in the State House complex, by increasing the contract by \$20,164 from \$63,332 to \$83,496. Effective July 29, 2010 through June 10, 2011. **100% General Funds.**

#19F Authorized the Bureau of Court Facilities to enter into a two-year holdover amendment agreement with the Town of Hooksett, NH, for courtroom and office space for the Hooksett District & Family Court, in an amount not to exceed \$145,074.60. Effective September 1, 2010 through August 30, 2012. **100% Transfer Funds – transfer from AOC, Rent from other Agencies.**

#19G Authorized to accept and place on file the Report and Findings of Councilor John D. Shea with regard to the construction, renovation and furnishing of certain facilities, and the purchase of certain capital equipment in connection with St. Paul's School, Concord, NH.

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#20 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$151,253 and the State Treasurer to issue checks in the amount of \$151,252.87 to the rightful owners of abandoned or unclaimed funds.

#21 Authorized to amend the credit agreement with LANDESBANK HESSEN-THÜRINGEN GIROZENTRALE (the "Bank"), a public law financial institution organized under the laws of Germany, acting by and through its New York Branch, New York, NY, in the event the State is unable to pay off \$50 million in outstanding bond anticipation notes by September 15, 2010. The amendment would take effect on September 14, 2010 and extend the agreement by four months to February 15, 2011. In addition, the fees payable to the Bank for the extended period would increase from .145 to .50% per year. Additional fees incurred, if any, would be covered from available appropriations in debt service.

DEPARTMENT OF CULTURAL RESOURCES

#22 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to continue the Family Resource Connection, in the amount of \$80,192. Effective **retroactive** to July 1, 2010 through June 30, 2011. **24% General, 76% Federal Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#23 Authorized a waiver and to increase the vehicle fleet by adding one ten-wheel flat bed truck equipped with a crane to move 1,000 pounds weight, to be used to inspect and test commercial vehicle scales, in the estimated amount ranging from \$15,000-\$22,000.

#24 Authorized the Board of Veterinary Medicine to accept and expend funds as a gift from the NH Veterinary Medical Association in the amount of \$5,000. (2)Further authorized to enter into agreements with NH Professionals Health Program, Concord, NH, to provide impaired veterinarian health services in the State of NH, in the amount of \$5,000. Effective upon G&C approval through a period of one year. **100% General Funds.**

#24A Authorized to pay salaries and benefits from FY 2010 with FY 2011 funds, in the amount of \$2,506.84 to Timothy Osmer, Metrologist, resulting from a missed labor grade increase from labor grade 16, step 5 to labor grade 17, step 5 for the period of June 24, 2009 through June 23, 2010. **100% General Funds.**

ATTORNEY GENERAL

#25 The Governor and Council on motion of Councilor Shea, seconded by Councilor Hollingworth authorized the request to designate Glenn A. Perlow as a Senior Assistant Attorney General, with a salary of \$75,826.34. Effective upon G&C approval.

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#25A Authorized to enter into an agreement with Integrated Office Solutions, Concord, NH, for full service maintenance coverage of nine Kyocera Mita and Copy Star copiers as well to provide for repairs of twenty-three facsimile machines in an amount not to exceed \$15,000. Effective upon G&C approval through June 30, 3013. **100% Federal Funds.**

#25B Authorized to amend a **retroactive** contract with Deloitte Consulting LLP, Boston, MA, (previously amended by G&C on 5-21-10, item #44), for additional enhancements of Unemployment Insurance processes and systems, by increasing the amount by \$1,568,164 from \$14,921,977 to \$16,490,141. Effective June 1, 2010 through June 30, 2011. **100% Federal Funds.**

#26 Authorized to make a **retroactive** payment to Larry Garon for a promotion not processed in SFY2010 in error. **100% Federal Funds.**

INSURANCE DEPARTMENT

#26A The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea, and with Councilor Pignatelli abstaining, authorized the request to enter into a contract with Rath, Young and Pignatelli, PC, to assist in applying for federal grants available to assist states with the implementation of federal health care reform related to insurance. **100% Insurance Company Assessment Funds.**

DEPARTMENT OF CORRECTIONS

#27 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Shea, and with Councilor Wiczorek voting **no**, authorized the request to purchase equipment and equipment-related items in an amount not to exceed \$6,000. Effective upon G&C approval through June 30, 2011. **100% Other Funds. Fiscal Committee approved.**

NEW HAMPSHIRE LIQUOR COMMISSION

#27A The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request to continue one Account Clerk III, position #8T105, salary grade 9 at an estimated cost of \$39,896. Effective upon G&C approval through June 30, 2011. **100% Liquor Funds.**

DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Council acted as follows:

#27B Authorized to place Ms. June Davenport, Certified Public Accountant, at the maximum step for the position of Assistant Director of the Audit Division, unclassified salary grade FF, earning \$83,917 annually. Effective August 30, 2010. **100% General Funds.**

#27C Authorized with Councilor Wiecezirek voting **no**, to reclassify position #18953 Real Estate Appraiser, labor grade 23, \$41,086.50 to Financial Data Specialist I, labor grade 26, \$46,722. **100% General Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#28 Authorized the Division of Travel and Tourism to award grants to the organizations as detailed in letter dated July 15, 2010, in the total amount of \$443,318.76 for the 2010/2011 in-state and out-of-state marketing projects under the Joint Promotional Program. Effective upon G&C approval. **100% General Funds.**

#29 Authorized Office of Workforce Opportunity to amend a **retroactive sole source** contract with America's Youth Teenage Unemployment Reduction Network Inc., d/b/a My Turn Inc., Brockton, MA, for the implementation of ARRA WIA Youth Services, by extending the end date to June 30, 2011 from June 30, 2010 to allow for expenditure of \$14,541 in remaining contract funds. No Additional Funding. **ARRA Item.**

#30 Authorized the Division of Forests and Lands to enter into a contract with MC Contracting Inc., Tyngsboro, MA, for roof replacement at the Urban Forestry Center in Portsmouth, NH, in the amount of \$39,460. Effective upon G&C approval through September 24, 2010. **100% Capital Funds.**

#31 Authorized the Division of Parks and Recreation to make a **retroactive** payment to Dave's Septic Service Inc., Bedford, NH, for septic pumping services at North Hampton Beach State Park in the amount of \$2,015. Effective June 14, 2010 through July 2, 2010. **100% State Park Fund.**

#31A Authorized the Division of Parks and Recreation to amend a **retroactive** memorandum of agreement with World Triathlon Corporation, Tampa, FL, (previously approved by G&C on 3-8-07, item #53), to hold an annual "Ironman 70.3 Timberman Triathlon" at Ellacoya State Park. Effective September 1, 2009 through August 30, 2012. (2)Further authorized to accept an annual payment of \$19,500 to be made by the World Triathlon Corporation.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#32 Authorized to enter into a memorandum of agreement with the City of Concord to provide assistance implementing habitat restoration activities at the Concord Municipal Airport. (2)Further authorized to accept a total of \$15,016.26 from the City of Concord for runway construction impacts to endangered Karner blue butterfly habitat.

#32A Authorized to enter into a **sole source** contract with Audubon Society of NH, Concord, NH, for the continuation of an urban wildlife education outreach effort from Amoskeag Fishways, in the amount of \$11,000. Effective upon G&C approval through June 30, 2011. **100% Other (Conservation License Plate) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#33 Authorized a Supplemental Loan Agreement with the City of Somersworth in the amount of \$5,000,000 to finance the upgrade of the existing surface water treatment facility project. (2) Further authorized a Supplemental Loan Agreement with the Town of Exeter in the amount of \$3,900,000 to finance the water system improvement project. Effective upon G&C approval. **100% DWSRF Loan Repayment Funds.**

#34 Authorized to pay membership dues to the Coastal States Organization, Washington, DC, in the amount of \$8,458.86. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#35 Authorized to amend a Local Source Water Protection grant to the Southern NH Planning Commission, Manchester, NH, (previously approved by G&C on 6-17-09, item #75), to complete a project to better protect drinking water from contamination, by extending the completion date to March 31, 2011 from September 30, 2010. **100% Federal Funds.**

#36 Authorized to amend a contract with Normandeau Associates Inc., Bedford, NH, (previously amended by G&C on 10-21-09, item #55), for the Lamprey Instream Flow Pilot Program, by extending the end date to January 31, 2011 from September 30, 2010. Effective upon G&C approval. **100% Federal Funds.**

#37 Authorized to enter into an agreement with the Town of Wolfeboro, NH, to complete the Rust Pond, North Inlet and Rte 28 Boat Launch Watershed Management Plan and Stormwater BMP Projects, Phase I project, in the amount of \$50,000. **100% Federal Funds.**

#38 Authorized to award an ARRA Brownfields Revolving Loan Fund cleanup grant totaling \$400,000 to the City of Concord for addressing environmental contamination. Effective upon G&C approval through September 30, 2011. **100% ARRA Federal Funds.**

#39 Authorized to enter into an Agreement with Wright-Pierce, Portsmouth, NH, to provide on-call historic resource services for projects related to the reconstruction and/or removal of certain dams owned by the State of NH, in the amount of \$150,000. Effective upon G&C approval through December 31, 2012. **100% Capital (General) Funds.**

#39A Authorized with Councilor Pignatelli voting **no**, to enter into a **sole source retroactive** memorandum of agreement with the Business Finance Authority, Concord, NH, for financial services to assist DES with Brownfields Cleanup Revolving Loan Fund loans for cleanup of privately owned brownfield sites in the amount of \$75,000. Effective July 1, 2010 through June 30, 2013. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Medicaid Business and Policy

#40 Authorized to amend a **sole source** agreement with HP Enterprise Services LLC, Plano, TX, (previously amended by G&C on 6-17-09, late item D), to provide fiscal agent systems and operational support to NH's legacy Medicaid Management Information System, by increasing the price by \$11,798,000 from \$140,954,457 to an amount not to exceed \$152,752,457, and by extending the completion date from September 30, 2010 to no later than December 31, 2011. **75% Federal, 25% General Funds.**

Division of Public Health Services

#41 Authorized the Bureau of Prevention Services, Chronic Disease Prevention Section to enter into an agreement with Lamprey Health Care Inc., Raymond, NH, to provide capacity to deliver the Chronic

Disease Self-Management Program in NH, in an amount not to exceed \$196,413. Effective upon G&C approval through March 31, 2012. **100% Federal ARRA Funds.**

#42 Authorized the Bureau of Population Health and Community Services, Healthy Eating and Physical Activity Section to amend an agreement with Community Action Program of Belknap and Merrimack Counties Inc., Concord, NH (previously amended by G&C on 4-28-10, item #78), to provide financial support of training expenses for eight local agency Women, Infants, and Children nutritionists to attend the National WIC Association Nutrition Education and Breastfeeding Conference, by increasing the price by \$12,000 from #3,372,709 to \$3,384,709. Effective upon G&C approval. **100% Federal Funds.**

#43 Authorized the Bureau of Disease Control, Communicable Disease Control Section to enter into a **sole source** agreement with the Trustees of Dartmouth College, Hanover, NH, to provide expert medical disaster management planning services in an amount not to exceed \$367,192. Effective upon G&C approval through August 30, 2012. **100% Federal Funds.**

#43A Authorized a contract renew and amend option with The New London Hospital Association Inc., New London, NH, (previously approved by G&C on 10-7-09, item #61), to provide primary care services and breast and cervical cancer screening, by increasing the price by \$547,604 from \$264,424 to \$812,028, and by extending the completion date to June 30, 2012. **79% General, 21% Federal Funds.**

Bureau of Behavioral Health

#43B Authorized to make a one-time **retroactive** unencumbered payment in the amount of \$3,038 to Attorney Earl S. Carrel, Manchester, NH, for legal services provided in excess of his contract with the Bureau during SFY 2010 using SFY 2011 funds. **100% General Funds.**

Division of Child Support Services

#43C Authorized to amend a **retroactive** agreement with Laboratory Corporation of America Holdings, Burlington, NC, (previously approved by G&C on 5-2-07, item #98), for parentage testing services, by increasing the price by \$43,179 from \$129,537 to \$172,716, and by extending the end date from June 30, 2010 to June 30, 2011. **66% Federal, 34% General Funds.**

Bureau of Developmental Services

#44 Authorized with Councilor Pignatelli voting **no**, to enter into a **sole source** agreement with JSI Research & Training Institute Inc., d/b/a Community Health Institute, Bow, NH, to provide data system administration and implementation services for the State of NH's federally funded Medicaid Infrastructure Grant in an amount not to exceed \$132,800. Effective **retroactive** to July 1, 2010 through December 31, 2011. **100% Federal Funds.**

NEW HAMPSHIRE VETERANS HOME

#45 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into a contract with Memcare LLC, Sanbornville, NH, to provide Geriatric Psychiatrist services to the Homes residents in the amount of \$75,600. Effective upon G&C approval through June 30, 2013. **33% Federal, 43% Agency Income, 24% General Funds.**

POSTSECONDARY EDUCATION COMMISSION

#46 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth authorized the request to accept and expend additional revenue in the amount of \$15,000 for Fiscal Year 2010. **100% Higher Education Fees.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#47 Authorized to grant funds to the International Institute of Boston-NH, Manchester, NH, in the amount of \$76,278 to provide English as a Second Language and English Language/Civics Education classes. Effective upon G&C approval through June 30, 2011. **50% General, 50% Federal Funds.**

#48 Authorized to process the out-of-state registration fee to Mary Lane for FY 2010 in the amount of \$225 from FY 2011 funds. **100% Federal Funds.**

#49 Authorized a renewal option with Karen Matso, Sole Proprietor, Kittery Point, ME, to assist school districts in maximizing the use of Performance Tracker and Assessment Builder throughout the NH Schools, in an amount not to exceed \$35,910. (2)Further authorized payment for services rendered in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through July 31, 2011. **100% Federal Funds.**

#50 Authorized to secure the services of Cynthia Currier, Sole Proprietor, Georges Mills, NH, to provide assistance with the implementation of the Initiative for School Empowerment and Excellence (i4see) Follow the Child Assistance Center and the Educator Information System in the amount of \$25,025. Effective upon G&C approval through June 30, 2011 with the option to renew for up to two additional years. (2)Further authorized payment for services rendered in lieu of withholding 25% of the total value of the contract. **100% Teacher Credentialing Funds.**

#51 Authorized to grant funds to Southern NH Services Inc., Manchester, NH, in the amount of \$91,017.59, to provide English as a Second Language classes at the Latin American Center, Manchester, NH, and English for New Americans at the First Congregational Church, Manchester, NH. Effective September 1, 2010 or upon G&C approval, whichever is later, through June 30, 2011. **50% General, 50% Federal Funds.**

#52 Authorized with Councilor Hollingworth, and Councilor Pignatelli voting **no**, to amend a contract with Public Consulting Group Inc., Boston, MA, (previously amended by G&C on 6-13-07, item #440), to exercise the Training Plan to assist the Local Education Agencies with implementation and provide Annual Enhancements Support for EasyIEP, by increasing the price by \$850,000to \$3,364,250. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#53 Authorized to grant funds to Hillsborough County, Department of Corrections in the amount of \$30,104.62, to provide instruction in the areas of upper level adult basic education and GED test preparation at the Hillsborough County House of Corrections. Effective upon G&C approval through June 30, 2011. **50% General, 50% Federal Funds.**

POLICE STANDARDS & TRAINING COUNCIL

The Governor and Council acted as follows:

#53A Authorized to enter into a service agreement with the Institute of Police Technology Management of the University of North Florida to provide technical law enforcement training at a cost of \$47,500. Effective upon G&C approval through June 30, 2011. **100% Penalty Assessment Funds.**

#54 Authorized to enter into a service agreement with NAMI – New Hampshire, Concord, NH, to provide instruction in law enforcement interaction with individuals with mental illness at the Arthur D. Kehas Law Enforcement Training Facility and Campus, for a cost of \$23,400. Effective upon G&C approval through June 30, 2011. **100% Penalty Assessment Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

#55 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea, and with Councilor Pignatelli voting **no**, authorized the request to amend instant ticket services contract with Scientific Games International Inc., Alpharetta, GA, (previously amended by G&C on 5-26-10, item #84A), to incorporate the patented bar code authentication system in its instant scratch tickets. Effective **retroactive** to July 1, 2010 through June 30, 2012. No Additional Funding.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#56 Authorized the Division of Homeland Security and Emergency Management to enter into a **sole source** contract with the NH Association of Broadcasters, Manchester, NH, for non-commercial sustaining announcements on emergency management and preparedness in the amount of \$66,000. Effective upon G&C approval through March 31, 2011. **30% Federal, 59% Private & Local, 11% Fire & EMS Funds.**

#57 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the Town of Dublin, and the Town of Lyme, for a total of \$64,430.40 for emergency preparedness capabilities enhancements. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#58 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Hopkinton, in the amount of \$54,537.50 to purchase a generator. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#59 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the Towns of Langdon, Troy and Exeter, for a total amount of \$81,751.50 for emergency preparedness capabilities enhancements. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#60 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending June 30, 2010.

#61 Authorized the Bureau of Planning and Community Assistance to enter into agreements totaling \$6,875,394.95, with the sub-recipients as detailed in letter dated July 22, 2010, to provide funding and services under the Federal Transportation Enhancement Program through a local project administration process. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#62 Authorized the Bureau of Highway Design to enter into an agreement with CHA Inc., Keene, NH, for on-call design review services for the Salem-Manchester I-93 reconstruction project, for an amount not to exceed \$1,000,000. Effective upon G&C approval through August 31, 2013. **100% Federal Funds.**

#63 Authorized the Bureau of Highway Maintenance to amend a **retroactive** contract with Continental Paving Inc., Londonderry, NH, (previously approved by G&C on 5-12-10, item #128), for reconstruction of 0.5 miles of Route 43 in Northwood, NH, by increasing the amount by \$7,526.40 from \$295,955.63 to \$303,482.03. **100% Betterment Funds.**

#64 Authorized the Bureau of Bridge Design to enter into an Interstate Bridge Agreement with the State of Maine for rehabilitation of the bridge carrying Gulf Road over the Salmon Falls River between Dover, NH, and South Berwick, ME. Effective upon G&C approval. Project costs will be shared 67% by NH and 33% by ME. **80% Federal, 20% Highway Funds.**

#65 Authorized the Bureau of Materials & Research to execute a **sole source** Cooperative Project Agreement with the UNH Office of Sponsored Research, Durham, NH, for transportation research services related to plant-produced, high-percentage recycled asphalt pavement mixtures, in the total amount of \$781,706. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

#66 Authorized the Bureau of Aeronautics to provide funding to the Laconia Airport Authority, to conduct an Airport Master Plan Update Study-Phase I for the Laconia Municipal Airport, in the amount of \$97,567. Effective upon G&C approval through August 31, 2013. **97.44% Federal, 2.56% General Funds.**

#67 Authorized the Bureau of Right of Way to pay various owners \$792,767.11 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from July 10, 2010 through July 27, 2010.

#68 Authorized the Bureau of Right of Way to sell a 2,900 square foot parcel of land and quitclaim whatever interest the State may have in the old NH Route 108 Highway Easement to Ronald LaPlume, where it abuts other land of LaPlume, for \$4,300 which includes an Administrative Fee of \$1,100. Effective upon G&C approval.

#69 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester for AIP-81 to acquire two in-ground snow melters and to construct modifications to the Aircraft Rescue and Fire Fighting building exhaust system at the Manchester-Boston Regional Airport in the amount of \$2,270,501. Effective upon G&C approval through August 31, 2013. **95% Federal, 5% General Funds.**

#70 Authorized the Bureau of Aeronautics to amend a grant, to provide additional funding to the Pease Development Authority, for AIP-40, for additional engineering services for bidding to purchase snow removal equipment for the Portsmouth International Airport at Pease in the amount of \$1,439. Effective upon G&C approval through August 31, 2013. **97.44% Federal, 2.56% General Funds.**

#71 Authorized the Bureau of Aeronautics to provide funding to the City of Lebanon, NH, for AIP-44 for a planning study to update the Airport Layout Plan's Exhibit A (Property Map) that will evaluate Federally obligated land parcels at the Lebanon Municipal Airport in the amount of \$68,250. Effective upon G&C approval through August 31, 2013. **97.44% Federal, 2.56% General Funds.**

#72 Authorized the Bureau of Aeronautics to award a grant to the Pease Development Authority for AIP-48 to construct a wildlife fence for the Portsmouth International Airport at Pease in the amount of \$606,490. Effective upon G&C approval through August 31, 2013. **95% Federal, 5% General Funds.**

#73 Authorized the Bureau of Rail & Transit to amend a contract with Tri-County Community Action Program Inc., Berlin, NH, (previously amended by G&C on 3-24-10, item #120), for additional transportation services for the general public and elderly and disabled citizens in Coos County, by increasing the amount by \$16,840 from \$797,926 to \$814,766. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#74 Authorized the Bureau of Rail & Transit to amend a contract with Advance Transit Inc., Wilder, VT, (previously approved by G&C on 6-3-09, item #211), for transportation services for the general public and elderly and disabled citizens in the Upper Valley region of NH, by increasing the amount by \$99,741 from \$3,648,236 to \$3,747,977. Effective upon G&C approval through June 30, 2011. **98.96% Federal, 1.04% General Funds.**

#75 Authorized the Bureau of Construction to amend a partially **retroactive** contract with George Cairns and Sons Inc., Windham, NH (previously approved by G&C on 5-6-09, item #187), for roadway reconstruction of I-93 (new northbound barrel), through the Exit 3 interchange area in Windham, by increasing the amount by \$2,300,000 from \$25,969,102.80 to \$28,269,102.80. Effective upon G&C approval through November 1, 2011. **100% Federal Funds.**

#76 Authorized the Bureau of Construction to amend a contract with Evroks Corporation, Winnisquam, NH, (previously approved by G&C on 7-10-09, item #247), for rehabilitation of the existing bridge carrying D.W. Highway over F.E. Everett Turnpike NB On-Ramp in the City of Nashua, by increasing the amount by \$135,000 from \$747,662.60 to \$882,662.60. Effective upon G&C approval. **100% Turnpike Funds.**

#77 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for roadway resurfacing on NH 9/US 202 beginning west of NH 31 and proceeding east to the Henniker Town Line in the county of Hillsborough, on the basis of a low bid of \$1,609,220.30.

(2)Further authorized a contingency in the amount of \$160,922.03 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through June 24, 2011. **100% Federal Funds.**

#78 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for roadway resurfacing on NH Route 16 in Wakefield between Stoneham Road and Crew Road, on the basis of a low bid of \$1,562,865.40. (2)Further authorized a contingency in the amount of \$156,286.54 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 15, 2010. **100% Federal Funds.**

#79 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for roadway resurfacing on NH Route 16 in Littleton beginning just east of Sampson Road and proceeding east beyond West Forest Lake Road in Bethlehem, on the basis of a single bid of \$1,417,032. (2)Further authorized a contingency in the amount of \$141,703.20 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 1, 2010. **100% Federal Funds.**

#80 Authorized the Bureau of Construction to enter into a contract with Brox Industries Inc., Dracut, MA, for roadway resurfacing on NH 106 beginning ¼ mile north of the intersection of US 3 proceeding north to Autumn Drive in Concord, on the basis of a low bid of \$633,375. (2)Further authorized a contingency in the amount of \$63,337.50 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 1, 2010. **100% Betterment Funds.**

#81 Authorized the Bureau of Construction to enter into a contract with Northern Construction Service LLC, Weymouth, MA, for repair of six culverts of varying types, sizes and lengths, including miscellaneous incidental work, located on NH Route 16/Spaulding Turnpike in Dover and Rochester, on the basis of a low bid of \$798,157. (2)Further authorized a contingency in the amount of \$79,815.70 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through November 5, 2010. **100% Turnpike Funds.**

LATE ITEMS

DEPARTMENT OF HEALTH AND HUMAN SERVICES

- A. The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the Division of Community Based Care Services, Bureau of Drug and Alcohol Services, to enter into a **sole source** agreement with FEI.com Inc, Columbia, MD, to provide Web Infrastructure for Treatment System software at no cost, and develop and implement modifications to the software, and provide hosting and maintenance, in an amount not to exceed \$1,094,566. Effective upon G&C approval through December 31, 2013. **56% Federal, 44% Other (Client Fees) Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

- B. The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek authorized the Division of Parks and Recreation to enter into a **Sole Source** contract with Aerial NDT Inspection, Inc. Milton, NH, in the amount of \$3,646 for the magnetic particle testing of the chairlifts at Cannon Mountain Ski Area in Franconia. Effective upon G&C approval through November 1, 2010. **100% Ski Area Account Fund.**

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Attorney Jeffrey Meyers and Attorney Donald Perrault spoke to the Governor and Executive Council regarding the Mark Bodi and Peter Hildreth removal hearings.

A Scheduling Conference Report and Order was presented to the Governor and Council which establishes a procedural schedule for filings regarding the removal petition.

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Pignatelli authorized Attorney Jeffrey A. Meyers and Attorney Donald J. Perrault to sign the Report and Order on behalf of the Governor and Executive Council.

The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek approved the Order authorizing Attorney Jeffrey A. Meyers, and Attorney Donald J. Perrault to enter provisional orders disposing of procedural issues raised by Mr. Bodi or the State of New Hampshire.

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In the matter of Banking Commissioner Peter Hildreth: the Attorney General's Office has retained Attorney Peter Krupp, of Lurie & Krupp LLC, as Special Counsel to bring forward a removal petition for Peter Hildreth, and submitted to the Governor and Council the Terms of Engagement as Special Counsel.

The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Pignatelli approved the rates of compensation as set forth in the Terms of Engagement.

Lurie & Krupp LLP will act as Special Counsel to the Governor and Council to prepare, file and present at a public hearing an RSA 4:1 and 383:1 Removal Petition regarding Banking Commissioner Peter Hildreth.

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, September 22, 2010.

On motion of Councilor Pignatelli, seconded by Councilor Hollingworth,
The Honorable Board then Adjourned at 12:40 p.m.