

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
December 19, 2018 10:00 a.m.

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

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Today's pre-meeting ceremonial items included:

- Councilor Wheeler offered a prayer.
- Councilor Wheeler's grandson Caedon Wheeler led the Pledge of Allegiance.
- Performance by the 39th Army Band from the NH Army National Guard performed "Deck the Halls", "Joy to the World", and "What Child is This".
- Proclamation/Commendation(s):
 - Commendation recognizing students from Pinkerton Academy who have partnered with NAMI to train their peers in suicide prevention.

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The Governor and Executive Council on motion of Councilor Kenney, seconded by Councilor Pappas voted to approve the minutes of December 5, 2018 meeting.

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The Governor and Executive Council, on motion of Councilor Kenney, seconded by Councilor Pappas, approved the appointment of several persons nominated for Civil Commissions from the December 5, 2018 meeting.

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The following representatives elect were sworn into office:

Hillsborough District 23
Charlie Burns, r, Milford

Hillsborough District 25
Paul Somero, r, New Ipswich

Hillsborough District 21
Dick Barry, r, Merrimack

Hillsborough District 6
Michael Gunski, r, Goffstown

Grafton District 6
Kevin G. Maes, d, Rumney

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Psychologists - RSA 329-B:3
(Public Member)

Klaran W. Warner, Grantham
Succeeding: Catherine E. Shanelaris, Merrimack

Effective: December 19, 2018
Term: July 1, 2021

Compensation Appeals Board - RSA 281-A:42-a
(Attorney)

Timothy S. Wheelock, Portsmouth
Reappointment

Effective: December 19, 2018
Term: November 15, 2021

Current Use Advisory Board - RSA 79-A
(Public Member/Agriculture)

Charles H. Souther, Concord
Reappointment

Effective: December 19, 2018
Term: November 16, 2020

Division of Ports and Harbors Advisory Council - RSA 12-G:44

Christopher D. Holt, Stratham
Reappointment

Effective: December 19, 2018
Term: December 16, 2023

<p><u>Medical Review Subcommittee</u> - RSA 329:17-V-a Lisa A. Patterson, Winchester Succeeding: Peter H. Wilson, Concord</p>	<p>Effective: December 19, 2018 Term: December 3, 2021</p>
<p><u>Manufactured Housing Installation Standards Board</u> - RSA 205-D:2 (Owner/Operator 100 or fewer lots) Gary Francoeur, Hudson Reappointment</p>	<p>Effective: December 19, 2018 Term: October 3, 2021</p>
<p><u>Manufactured Housing Installation Standards Board</u> - RSA 205-D:2 (Installer) John T. Flanders, Concord Reappointment</p>	<p>Effective: December 19, 2018 Term: October 3, 2021</p>
<p><u>New Hampshire State Council on the Arts</u> - RSA 19-A Catherine V. Sununu, Exeter Succeeding: Sarah Stewart, Manchester (<i>became commissioner of agency</i>)</p>	<p>Effective: December 19, 2018 Term: November 23, 2021</p>
<p><u>Passenger Tramway Safety Board</u> - RSA 225-A (Cable Lift) Robert Hoyt, Freedom Reappointment</p>	<p>Effective: December 19, 2018 Term: June 20, 2022</p>
<p><u>Real Estate Appraisers Board</u> - RSA 310-B (Representative of NH lending institution) Justin K. Macagba, New Boston Succeeding: Donald A. St. Germain, Manchester (resigned)</p>	<p>Effective: December 19, 2018 Term: August 12, 2019</p>
<p><u>State Committee on Aging</u> - RSA 161-F (Hillsborough County) Daniel A. Marcek, Brookline Succeeding: Norma J. Brettell, Glen</p>	<p>Effective: December 19, 2018 Term: June 24, 2019</p>
<p><u>State Commission for Human Rights</u> - RSA 354-A:4 Nancy G. LeRoy, Laconia Succeeding: Sylvia E. Gale, Nashua</p>	<p>Effective: December 19, 2018 Term: November 1, 2023</p>

CONSENT CALENDAR AGENDA

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas acted as follows:

#1 **MOP 150, I, B (1): Expenditure Approvals**

DEPARTMENT OF SAFETY

#A. Authorized the request of the Division of State Police for one Trooper to travel over 300 miles one way in a State Police issued unmarked state vehicle in the amount of \$2,714.70 to attend the K2 Solutions Explosives Detection Canine School in Southern Pines, North Carolina. Effective January 19, 2019 through February 16, 2019. **49.9% General, 27.6% Turnpike, 22.5% Highway Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management**

#B. Authorized to enter Barbara McCann into an educational tuition agreement with Southern NH University – College for America, Manchester, NH, to participate in Modules in General Studies, including: Leadership and Group Dynamics; Preparing Recommendations for Complex Challenges; and Using Data to Inform Decisions, during the period of March 1, 2019 through June 30, 2019, and to pay said costs in the amount of \$1,500. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management**

#C. Authorized to enter Elizabeth L. Biron into an educational tuition agreement with Rivier University, Nashua, NH, to participate in Genomics & Informatics, during the period of January 14, 2019 through March 1, 2019, and to pay said costs in the amount of \$1,785. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management**

#D. Authorized to enter Laurie Foster into an educational tuition agreement with Fitchburg State University, Fitchburg, MA, to participate in MBA Management Concentration, including: Management Theory and Process; Management Information Systems; and Economic Theory and Managerial Decision Making, during the period of January 22, 2019 through July 7, 2019, and to pay said costs in the amount of \$3,753. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management**

#E. Authorized to enter Taylor Smith into an educational tuition agreement with Granite State College, Concord, NH, to participate in Special Education Law, during the period of January 7, 2019 through March 29, 2019, and to pay said costs in the amount of \$1,256. **100% General Funds.**

INSURANCE DEPARTMENT

#F. Authorized to enter Mary Tarbell into an educational tuition agreement with College for America at Southern NH University, to participate in Account for Business, including: Making Sense of the Mess; Unpacking the Statements; Analyzing the Statements; and Making the Call, during the period of January 1, 2019 through June 30, 2019, and to pay costs not to exceed \$1,500. **100% Other (Administrative Assessment) Funds.**

INSURANCE DEPARTMENT

#G. Authorized to enter Jennifer Goodwin into an educational tuition agreement with College for America at Southern NH University, to participate in: Employee Human Resources; Account for Business; Use Math to Solve Problems; and Improve Organizational Effectiveness, during the period of January 1, 2019 through June 30, 2019, and to pay costs not to exceed \$1,500. **Administrative Assessment Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

#H. Authorized to enter Patrick Graham into an educational tuition agreement with Southern NH University, Manchester, NH, to participate online in Introduction to Marketing, during the period of January 7, 2019 through March 3, 2019, and to pay costs not to exceed \$864. **Lottery Funds.**

STATE TREASURY

#I. Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$43,002 and the State Treasurer to issue checks in the amount of \$43,001.61 to the rightful owners of abandoned or unclaimed funds.

STATE TREASURY

#J. Authorized to pay annual membership and participation costs to the College Savings Foundation, Arlington, VA, in the amount of \$2,500, for continued information, communication, and federal legislation updates to state sponsors from January 1, 2019 through December 31, 2019. **100% Other Funds (Unique Plan Management Fees).**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#K. Authorized to pay calendar year 2019 membership dues to the Association of State Drinking Water Administrators, Arlington, VA, in the amount of \$6,900. Effective upon G&C approval. **100% Federal Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

#L. Authorized to pay membership dues in the amount of \$20,000 to the North American Association of State and Provincial Lotteries, Concord, OH. Effective January 1, 2019 through December 31, 2019. **100% Lotter Funds.**

#2 **MOP 150, I, B (2): Approval of Acceptances**

DEPARTMENT OF SAFETY

#A. Authorized the Division of Fire Safety to accept the donation of a scholarship from State Farm and Maine Specialty Dogs for the State Farm Arson Dog Program with an estimated value of \$25,000 to attend the Spring 2019 class in Concord for the acquisition and training of an accelerant detection canine. Effective upon G&C approval.

#3 **MOP 150, I, B (3): Reports and Findings** - NONE

#4 **MOP 150, I, B (4): Nominations, Confirmations and Appointments**

THE ADJUTANT GENERALS DEPARTMENT

#A. Authorized the confirmation of Captain Roland R. Youngs, Wentworth, NH, for promotion to the rank of Major, NH Air National Guard.

THE ADJUTANT GENERALS DEPARTMENT

#B. Authorized the nomination of Major James L. Pappaioanou, Dover, NH, for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

THE ADJUTANT GENERALS DEPARTMENT

#C. Authorized the nomination of Captain Shane M. Wells, Northwood, NH, for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF TRANSPORTATION

#D. Authorized the Bureau of Right of Way's petition for a hearing on the proposed construction of two roundabouts on US 202 in the Town of Jaffrey. (2)Further authorized the suggested commission to hold a hearing to determine whether there is occasion for the construction of the roundabout, with a suggested budget of \$947.17.

DEPARTMENT OF JUSTICE

#E. Authorized to appoint Erik Bal as an Attorney at a salary level of \$62,500. Effective upon G&C approval or December 21, 2018, whichever is the latter.

#5 **MOP 150, I, B (5): Other Items**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Children, Youth & Families

#A. **WITHDRAWN** – The Agency withdrew the request to amend an agreement with Bethany Christian Services of Northern New England, Candia, NH (originally approved by G&C on 10-11-17, item #11), to provide a Community and Faith-Based Initiative for the support of foster, relative, and adoptive families by modifying the scope of services to add additional activities, with no change to the price limitation of \$100,000, and no change to the completion date of December 31, 2019. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

#B. Councilor Volinsky requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized the Bureau of Rail & Transit to enter into an agreement with Jalbert Leasing Inc., Portsmouth, NH, to operate the Dover Park and Ride and bus terminal, Dover, NH. Effective January 1, 2019 through December 31, 2023. No Cost Operating Agreement.

DEPARTMENT OF TRANSPORTATION

#C. Authorized to amend a contract with Vanasse Hangen Brustlin Inc. (originally approved by G&C on 10-7-15, item #29), to perform the second phase of a turnpike transportation system upgrade along 3 miles of the F.E. Everett Turnpike (I-293) through Exits 6 and 7 in the City of Manchester, by extending the completion date from December 31, 2018 to May 31, 2019. No Additional Funding.

DEPARTMENT OF TRANSPORTATION

#D. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney, authorized the Bureau of Turnpikes to amend an existing professional service contract for the NH E-ZPass Back Office with Cubic Transportation Systems Inc., to restructure the schedule for deliverables, payment of project delivery and Operation and Maintenance costs, and Key Performance Indicators of the contract effective January 1, 2019 to December 31, 2019. No Additional Funding.

PUBLIC UTILITIES COMMISSION

#E. Authorized to do a **sole source** amendment to a contract with Sheehan, Phinney, Bass & Green, PA, to assist the Commission in supervising the legal aspects of the sale of the Eversource generation assets by extending the completion date to December 31, 2019 from December 31, 2018. No Additional Funding. **100% Other Funds (Public Utility Assessment).**

DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS

#F. Authorized to amend a contract with Fourth Economy Consulting Inc., Pittsburgh, PA (originally approved by G&C on 6-6-18, item #90), by extending the completion date from December 31, 2018 to June 30, 2019. No Additional Funding. **45% Other, 55% Federal Funds.**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#G. Authorized the Bureau of Trails to enter into Recreational Trails Program Grant contract extensions with each of the organizations as detailed in letter dated November 28, 2018 (originally approved by G&C on 6-6-18, item #103), by extending the end dates to June 30, 2019 from December 31, 2018. No Additional Funding.

DEPARTMENT OF ENVIRONMENTAL SERVICES

#H. Authorized to amend an agreement with Franklin Pierce University, Rindge, NH (originally approved by G&C on 7-13-16, item #25), for the *Pearly Pond Watershed Management Plan Implementation Phase I* project, by extending the expiration date to December 31, 2019 from December 31, 2018. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#I. Authorized to amend a **sole source** agreement with the Rockingham Planning Commission, Exeter, NH (originally approved by G&C on 4-5-17, item #30), for the *Collaborative Engagement and Capacity Building in the Powwow River Watershed*, by extending the expiration date to December 31, 2019 from December 31, 2018. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#J. Authorized to amend an agreement with the University of NH, Durham, NH (originally approved by G&C on 6-20-18, item #115), to complete the *Piscataqua Region Monitoring Collaborative* project by modifying the scope of services and related task funding. Effective upon G&C approval through December 31, 2019. **17% Federal, 57% Clean Water State Revolving, 26% General Funds.**

DEPARTMENT OF JUSTICE

#K. Authorized to amend an existing subgrant with the NH Department of Corrections, Concord, NH (originally approved by G&C on 5-2-18, item #103), for the purpose of providing a residential substance abuse treatment program from the Federal Residential Substance Abuse Treatment Grant Program, by extending the end date from December 31, 2018 to September 30, 2019. No Additional Funding.

REGULAR AGENDA

BUSINESS FINANCE AUTHORITY

#6 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Prescott, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for BAE Systems Information and Electronic Systems Integration, Inc. for a project Manchester, 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 DECEMBER 19, 2018
IN THE STATE HOUSE, CONCORD, NEW HAMPSHIRE**

At 11:30 a.m. the Governor announced that the next matter to be considered would be the financing of a commercial facility by the Business Finance Authority for BAE Systems Information and Electronics Systems Integration, Inc. located in Manchester, New Hampshire and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. James Key-Wallace, Executive Director of the Authority, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9 and approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code. He also briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Pappas introduced a resolution entitled “A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR BAE SYSTEMS INFORMATION AND ELECTRONIC SYSTEMS INTEGRATION, INC. IN THE CITY OF MANCHESTER, NEW HAMPSHIRE AND THE AWARD OF AN UNCONDITIONAL STATE GUARANTEE OF UP TO \$12,000,000 OF PRINCIPAL OF THE FINANCING” and moved its adoption, which was seconded by Councilor Prescott. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Kenney, Councilor Volinsky, Councilor Prescott, Councilor Pappas, and Councilor Wheeler; those abstaining were: None; and those voting against were: None. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF
A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR BAE SYSTEMS
INFORMATION AND ELECTRONIC SYSTEMS INTEGRATION, INC.
IN THE CITY OF MANCHESTER, NEW HAMPSHIRE AND THE AWARD OF AN UNCONDITIONAL
STATE GUARANTEE OF UP TO \$12,000,000 OF PRINCIPAL
OF THE FINANCING

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 financing of a commercial facility for BAE Systems Information and Electronic Systems Integration, Inc. (the "Borrower") in the City of Manchester, New Hampshire (the "Location"), by the Authority's purchase and lease of an approximately 34.2 acre parcel of land with a building structure thereon through an up to \$32,000,000 taxable loan under RSA 162-I (the "Act"), comprised of an approximately \$12,000,000 revenue bond (the "Bond") to be supported by a State guarantee (the "State Guarantee"), a commercial loan in the approximate amount of \$9,000,000 (the "Commercial Loan") and a loan of certain funds of the Authority in the approximate amount of \$10,000,000 (the "Authority Loan," and collectively with the Bond and the Commercial Loan, the "Loan"), and the award of an unconditional State Guarantee of up to \$12,000,000 of principal of the Bond under RSA 162-I:9-b;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction that 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 Project (as completed, the "Facility") consists of an approximately 34.2-acre parcel of land improved by a building structure of approximately 192,520 square foot building and related appurtenances located in the City of Manchester. The Facility will be owned by the Authority and used by the Borrower for products and services for air, land and naval forces, and advanced electronics, security, information technology solutions and customer support services.

The Project is within the definition of "commercial facility" in the Act and may be financed under the Act.

(2) The establishment and operation of the Facility creates and preserves employment opportunities directly and indirectly within the State of New Hampshire (the "State") and will likely be of general benefit to the community as a whole.

(b) General findings:

(1) The Project and the proposed financing of the Project are feasible;

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

(3) The Bond, the Commercial Loan, the Authority Loan, the Bond Purchase and Loan Agreement, the Guarantee Agreement, the Mortgage, Assignment of Rents, Security Agreement and Fixture Filing (Loan 1 - Commercial Loan) and the Mortgage, Assignment of Rents, Security Agreement and Fixture Filing (Loan 2 - Bond) (collectively, the "Agreements") contain 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 Loan proceeds or from funds received under the Agreements, exclusive of funds received thereunder by the Authority for its own use and exclusive of the Authority's equity contribution evidenced by the Authority Loan; and

(4) The proposed financing of the Project by the Authority and the proposed 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.

(c) Findings with respect to the State Guarantee:

(1) The award of the State Guarantee will contribute significantly to the success of the financing; and

(2) Reasonable and appropriate measures have been taken to minimize the risk of loss to the State and to ensure that any private benefit from an award of a State Guarantee will be only incidental to the public purpose served thereby.

Section 2. Award of State Guarantee. The Governor and Council hereby award an unconditional guarantee of \$12,000,000 principal of and interest on the Bond pursuant to RSA 162-I:9-b and authorize the State Treasurer to execute by his/her manual or facsimile signature the endorsement appearing on the Bond Purchase and Loan Agreement and/or the Bond to evidence such guarantee.

Section 3. Authorization of Guarantee Agreement. The State shall be a party to the Guarantee Agreement between the Authority and the State (the "Guarantee Agreement") and the Governor and the State Treasurer are together authorized to execute and deliver the Guarantee Agreement on behalf of the State substantially in the form presented to this meeting but subject to such changes as the Governor and State Treasurer may approve, their signatures being conclusive identification of the Guarantee Agreement, with approved changes, if any, authorized by this resolution.

Section 4. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility and award of the State Guarantee will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's financing of the Project and the State's Guarantee of up to \$12,000,000 of principal of the Bond will be within the policy of, and the authority conferred by, the Act.

Section 5. Approval. The Governor and Council approve the Authority's, the Governor's and State Treasurer's taking such further action under the Act with respect to the transaction as may be required.

Section 6. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to December 19, 2018.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky acted as follows:

#7 Authorized to finalize the determination made by the Commissioner that on November 12, 2018 a Registered Nurse III at the NH Hospital sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

#8 Authorized to finalize the determination made by the Commissioner that on November 12, 2018 a Mental Health Worker II at the NH Hospital sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

Emergency Services

#9 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to amend an existing **sole source** agreement with Turning Point Counseling & Consultation LLC, Rochester, NH, to provide Disaster Behavioral Health Technical Assistance, by increasing the price by \$9,500 from \$15,000 to \$24,500 with no change to the completion date of June 30, 2019. **100% Federal Funds.**

Office of Medicaid Services

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney acted as follows:

#10 Authorized to exercise a renewal option to an existing **sole source** contract with Coordinated Transportation Solutions Inc., Trumbull, CT (originally approved by G&C on 3-28-17, Item #A), to manage the statewide non-emergency medical transportation for approximately 2,100 Medicaid recipients remaining in the NH Medicaid Fee-for-Service program, as approximately 56,650 for the 58,750 individuals, per monthly average, originally covered under this contract will now receive services under Medicaid's Managed Care Organizations beginning January 1, 2019, by increasing the price by \$257,292 from \$12,980,446 to an amount not to exceed \$13,237,738, and extending the completion date from December 31, 2018 to December 31, 2019. The additional funding for state fiscal year 2019 and 2020 is **56% Federal, 43% General, 1% Other Funds.**

#10A Authorized to amend two existing **sole source** agreements with the State's managed care health plans, Granite State Health Plan, d/b/a New Hampshire Healthy Families, Bedford, NH, and Boston Medical Center HealthNet Plan, d/b/a Well Sense Health Plan, Boston, MA. The contract for SFY 2019 synchronizes the existing Medicaid Care Management Program re-procurement as legislatively required, adjusts for operational and program changes, including the transition of the NH Health Protection Program to the Granite Advantage Healthcare Program effective January 1, 2019. The adjusted actuarially certified rate structure under the **sole source** contracts is \$803,103,161. This request, if approved, will increase the amount by \$147,676,924, due to the transition of the Medicaid expansion group from qualified health plans under the NH Health Protection Program to coverage under the two managed care health plans. The SFY capitation rate for SFY 19 decreases by 1.7% and the pre-existing aggregate average administrative cost allowance of 8% remains in place, as does the operating margin allowance of up to 1.5%. The combined aggregate total is \$3,705,598,325 for all Medicaid Care Management program contracts, effective upon G&C approval. Originally approved by G&C on May 9, 2012, Item #54A. **Funds are 50% Federal and 50% General Funds for the currently eligible Medicaid population except for the NH Health Protection Program services funds are 94% Federal and 6% Other for Calendar Year 2018; and for the Granite Advantage Health Care Program 93% Federal and 7% Other for Calendar Year 2019.**

Bureau of Improvement & Integrity

#10B The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to amend and renew a **sole source** agreement with Myers and Stauffer LC, Owings Mills, MD (originally approved by G&C on 1-13-16, item #10), to continue conducting independent certified audits of the NH Medicaid Disproportionate Share Hospital payments in accordance with Current federal requirements, by increasing the price by \$619,264 from \$536,116 to an amount not to exceed \$1,155,380, and by extending the completion date from December 31, 2018 to December 31, 2021. **50% Federal, 50% Medicaid Enhancement Tax Funds.**

Bureau of Housing Supports

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky acted as follows:

#11 Authorized to enter into **sole source** agreements with the vendors as detailed in letter dated November 27, 2018, to provide permanent housing programs to homeless individuals and families through the Federal Continuum of Care program, in an amount not to exceed \$278,923. Effective January 1, 2019 through December 31, 2019. **100% Federal Funds.**

#12 Authorized to amend an existing **sole source** agreement with The Lakes Region Mental Health Center Inc., d/b/a Genesis Behavioral Health, Laconia, NH (originally approved by G&C on 1-24-18, item #7), for the provision of a permanent housing program through the Federal Continuum of Care program, by increasing the price by \$1,542 from \$39,506 to \$41,048, with no change to the completion date of January 31, 2019. **100% Federal Funds.**

Bureau of Developmental Services

#13 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to enter into an agreement with the Public Consulting Group Inc., Boston, MA, to provide consulting services for modernized information technology systems, in an amount not to exceed \$498,148. Effective upon G&C approval through July 31, 2019. **90% Federal, 10% General Funds.**

Division of Public Health Services

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky acted as follows:

#14 **WITHDRAWN** – The Agency withdrew the request to amend a **sole source** agreement with Chemware LLC, Raleigh, NC (originally approved by G&C on 3-9-16, item #54), for the provision of software maintenance and support and other optional services, by increasing the price by \$7,500 from \$673,428 to \$680,928, with no change to the completion date of June 30, 2021. **100% Federal Funds.**

#15 Authorized to amend a **sole source** agreement with one of the vendors as detailed in letter dated November 13, 2018, to provide clinical testing, public health investigation and case management, as well as outreach and education services, by increasing the price by \$40,000 from \$921,955 to \$961,955 in the aggregate with no change to the completion date of June 30, 2020. **79.2% Federal, 20.8% General Funds.**

#16 Authorized the Bureau of Public Health Systems, Policy & Performance, to enter into an agreement with the remaining one of 21 vendors and to increase the price limitation by \$17,500 from \$587,850 to an amount not to exceed \$605,350, to provide reimbursement for payment of educational loans through the State Loan Repayment Program. Effective upon G&C approval through September 30, 2022 for Jerrica Moore. **100% General Funds.**

#17 Authorized to amend an existing agreement with Mary Jane Sullivan, Hampton NH (originally approved by G&C on 3-8-17, item #16), to provide Early Hearing Audiologist Consultant services, by decreasing the price by \$6,181 from \$50,000 to an amount not to exceed \$43,819 with no change in the completion date of June 30, 2019. **100% Federal Funds.**

Division for Behavioral Health

#18 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to amend a **sole source** agreement with Community Council of Nashua, NH d/b/a Greater Nashua Mental Health Center at Community Council, Nashua, NH (originally approved by G&C on 6-21-17, Late Item #A), for the provision of a First Episode Psychosis Pilot Program, by increasing the price by \$21,500 from \$12,913,412 in the aggregate to an amount not to exceed \$12,934,912 in the aggregate. Effective upon G&C approval, which no change to the completion date of June 30, 2019. **100% Federal Funds.**

Bureau of Drug and Alcohol Services

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas acted as follows:

#19 Authorized to **retroactively** exercise a renewal option to an existing **sole source** agreement with Greater Nashua Mental Health Center at Community Council, Nashua, NH (originally approved by G&C on 11-18-18, Late Item #A), for the provision of clinical substance use disorder services in support of the Hillsborough County South's Drug Court expansion effort, by extending the contract completion date from September 30, 2018 to September 30, 2019, with no change to the price limitation. (2)Further authorized to **retroactively** exercise a renewal option to an existing **sole source** agreement with JSI Research & Training Institute Inc., d/b/a Community Health Institute, Bow, NH (originally approved by G&C on 11-18-18, Late Item #A), for the provision of date evaluation services in support of the Hillsborough County South's Drug Court expansion effort by increasing the price by \$43,340 from \$851,622 in the aggregate to \$894,962 in the aggregate and extending the completion date from September 30, 2018 to September 30, 2019. **100% Federal Funds.**

#20 Authorized to exercise a renewal option with a **sole source** amendment to an existing agreement with one of the contractors as detailed in letter dated November 14, 2018 (originally approved by G&C on 5-2-18, item #20), for the provision of Targeted Prevention Programming for DCYF-Involved Families with Substance Use Disorder, by increasing the price by \$1,166,506 from \$744,198 in the aggregate to \$1,910,704 in the aggregate, and extending the completion date from June 30, 2019 to September 30, 2020. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Prescott acted as follows:

#21 Authorized the Bureau of Right of Way to transfer a 0.30 +/- of an acre permanent waterline easement over a parcel of State owned land located on the westerly side of NH Route 16 in Errol to Balsams View LLC, in exchange for Balsams View LLC transferring to the Department of Transportation a 6.046 +/- acre parcel of land along with a right of way access easement over additional property owned by Balsams View LLC, located on the northerly side of NH Route 26 in the Unincorporated Place of Dixville and the Town of Colebrook. No Cost Transfer. Department agrees to waive the administrative fee of \$1,100.

#22 Authorized the Bureau of Right of Way to sell a parcel of State owned NH Route 28 Controlled Access Right of Way consisting of a 1.53 +/- acres located on the northwesterly corner of NH Route 28 and Rockingham Boulevard in the Town of Salem directly to Rock Acquisitions LLC for \$50,000 plus a \$1,100 administrative fee. Effective upon G&C approval. (2)Further authorized to adjust the limits of the NH Route 28 and Rockingham Boulevard Controlled Access Right of Way for the disposal of the above mentioned parcel. Net proceeds are \$50,000. Originally purchased with 90% Federal and 10% Highway Funds.

#23 Authorized the Bureau of Right of Way to sell a parcel of State owned land consisting of a 0.19 +/- of an acre located on the southwesterly corner of NH Route 111 and NH Route 28 in the Town of Windham directly to the abutter, Rockingham Road Realty Trust, for \$25,000 plus a \$1,100 administrative fee. Effective upon G&C approval. Net proceeds are \$25,000. Originally purchased with 86.8% Federal and 13.2% Highway Funds.

#24 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the Town of Conway to provide funding and services under the Federal Aid Program through a Local Project Administration process, for an amount totaling \$3,200,000. (2)Further authorized a contingency in the amount of \$320,000. Effective upon G&C approval through September 30, 2021. **100% Federal Funds.**

#25 Authorized the Bureau of Bridge Design to amend a contract with McFarland-Johnson Inc., Concord, NH (originally approved by G&C on 9-16-15, item #25), for the final design of the superstructure replacement and widening to address the Red List bridges carrying I-89 NB & SB over the Connecticut River between the City of Lebanon, NH, and the Town of Hartford, VT, by increasing the amount by \$259,917.31 from \$1,501,135.54 to \$1,761,052.85 for additional final design and construction services requested by the Department and the Consultant. Effective upon G&C approval. **100% Federal Funds.**

#26 Authorized the Bureau of Highway Design to enter into an agreement with Hoyle, Tanner & Associates Inc., Manchester, NH, for on-call engineering services for various transportation projects located throughout the State, for an amount not to exceed \$750,000. Effective upon G&C approval through January 31, 2022.

#27 Authorized the Bureau of Rail & Transit to enter into a **sole source** contract amendment with Boston Express Bus Inc., Concord, NH (originally approved by G&C on 1-16-08, item #214), to increase the amount by \$6,986,313 from \$11,612,244 to \$18,598,557, and by extending the completion date from December 31, 2018 to December 31, 2023. **100% Federal Funds.**

#28 Authorized the Bureau of Rail & Transit to enter into a **sole source** contract amendment with Boston Express Bus Inc., Concord, NH (originally approved by G&C on 1-10-07, item #123A), to increase the amount by \$69,180 from \$2,466,727 to \$2,535,907, and by extending the completion date from December 31, 2018 to December 31, 2023. **100% Federal Funds.**

#29 Authorized the Bureau of Construction to enter into a contract with C.L.H. & Son Inc., Auburn, ME, for rehabilitation of three culverts underneath I-393 in Concord and Pembroke, on the basis of a low bid of \$497,548. (2)Further authorized a contingency in the amount of \$49,754.80 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 18, 2019. **100% Federal Funds.**

#29A Authorized the Bureau of Right of Way to transfer in fee simple absolute, a 7.296 +/- acre parcel of State-owned property located in the Town of Londonderry, immediately north of the I-93 Exit 4 Park and Ride Facility, to Pillsbury Development LLC. This transaction is in exchange for the transfer of a 15.42 +/- acre swath of land, 2.12 +/- acres of drainage easement, 5.44 +/- acres of utility easement, and 8.71 +/- acres of wetland mitigation easement (collectively referred to as the "Pillsbury Parcel"), from Pillsbury Development LLC to the Department of Transportation. (2)Further authorized to waive the Administrative Fee of \$1,100. No Cost Transaction.

OFFICE OF STRATEGIC INITIATIVES

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Prescott acted as follows:

#30 Authorized to amend a memorandum of agreement with NH Department of Environmental Services (originally approved by G&C on 2-10-16, item #31), to continue to help municipalities save money at their wastewater treatment facilities through additional energy audits, further training and technical assistance, along with the implementation of best practices, by extending the end date from December 31, 2018 to July 1, 2019. No Additional Funding. **100% Federal Funds (State Energy Program).**

#31 Authorized with Councilor Volinsky voting **no**, expenditures for the Governor's Scholarship Program to participating NH post-secondary institutions in the amount of \$4,800,000. Effective upon G&C approval. **100% General Funds.**

#32 Authorized to enter into a memorandum of agreement with the Department of Business and Economic Affairs, Concord, NH, to support improvements to the state's electric vehicle infrastructure, in the amount of \$25,000. Effective upon G&C approval through June 30, 2019. **100% Federal Funds (State Energy Program).**

#32A Authorized to enter into a contract with Jennie D. Blake Elementary School, Hill, NH, to provide funding support allowing for the implementation of energy efficiency projects and upgrades, in the amount of \$100,000. Effective upon G&C approval through June 30, 2019. **100% Federal Funds (State Energy Program).**

STATE TREASURY

#32B The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized the State Treasurer, as Trustee of the NH Higher Education Savings Plan Trust, to amend documents relating to the NH College Tuition Savings Plan, as detailed in letter dated December 10, 2018. Effective January 2, 2019.

THE ADJUTANT GENERALS DEPARTMENT

#33 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney, authorized to commission the individuals as detailed in letter dated December 4, 2018, as Aides-de-Camp to the Governor in the ranks as indicated. Effective January 3, 2019 upon G&C approval.

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#34 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to budget and expend balance forward from the IT – Risk Management/Crop Insurance funds in the amount of \$26,578 for the purposes of funding anticipated deficits in the Fiscal Year 2019 budget. Effective upon G&C approval through June 30, 2019. **100% Agency Income.**

INSURANCE DEPARTMENT

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas acted as follows:

#35 Authorized to enter into a cooperative project agreement with the University of NH, working through the University of NH Survey Center, to provide best practice survey methods in connection with NHID's effort to better understand where NH consumers are seeking and acquiring health coverage, in the amount of \$19,198. Effective upon G&C approval through March 31, 2019. **100% Federal Funds.**

#36 Authorized to enter into a **sole source** contract with Public Consulting Group Inc., Boston, MA, for consulting services, in the amount of \$81,750. Effective upon G&C approval through December 31, 2019. **100% Other Funds.**

DEPARTMENT OF LABOR

#36A The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky, authorized to disburse \$39,829 as compensation for a partial permanent injury of less than 100% maximum medical improvement, sustained as a result of an injury incurred in the line of duty. Effective upon G&C approval. **100% General Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#37 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky, authorized a salary increment for the Deputy Commissioner, Richard Lavers, from salary grade HH, Step 5 (\$105,128.40) to grade HH, Step 6 (\$110,596.20). Effective upon G&C approval.

DEPARTMENT OF CORRECTIONS

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky acted as follows:

#38 Authorized to enter into a renewal lease agreement with Richard Edmunds, North Salem, NH, for the purpose of probation/parole district office space, in the amount not to exceed \$382,050.24. Effective January 1, 2019 through December 31, 2023. **100% General Funds.**

#39 Authorized to pay overtime in the amount of \$3,801,648 for permanent personnel from Class 10 *Personal Services Permanent* appropriations and \$39,854 for permanent personnel classes from Class 11 *Personal Services Unclassified* appropriations for positions that are vacant due to sick leave, extended leaves of absence or pending recruitment. The \$3,841,502 represents actual overtime expenditures for 11 pay periods and additional estimated overtime expenditures. Effective upon G&C approval through June 30, 2019. **100% General Funds.**

#40 Authorized to amend the acceptance and expenditure of the Residential Substance Abuse Treatment sub grant from the NH Department of Justice (originally approved by G&C on 5-2-18, item #59), to continue providing family focused parenting skills programs for incarcerated men and women with substance use issues, by extending the end date of December 31, 2018 to September 30, 2019. (2)Further authorized to amend a **sole source** contract agreement with Waypoint (formerly known as Child and Family Services of NH), Manchester, NH (originally approved by G&C on 7-11-18, item #25), to continue providing personnel to administer parenting curriculums for persons under departmental control with substance misuse issues, by extending the completion date from December 31, 2018 to September 30, 2019. No Additional Funding. **100% Agency Income.**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky acted as follows:

#41 Authorized the Division of Parks and Recreation to amend the memorandum of agreement with the Old Man of the Mountain Revitalization Fund Inc., d/b/a Old Man of the Mountain Legacy Fund (originally approved by G&C on 12-16-15, item #55), by extending the completion date to December 31, 2020 from December 31, 2018. (2)Further authorized to allocate up to \$75,000 of matching funds to support a portion of the Legacy Fund's Profile Lake Walkway project which will provide new recreational opportunities in Franconia Notch State Park. Effective upon G&C approval through December 31, 2020. **100% Capital Funds.**

#42 Authorized the Division of Forests and Lands to accept and expend \$40,000 of federal funds. Effective upon G&C approval through May 30, 2019. **100% Federal Funds.**

#43 Authorized the Division of the Arts to award Public Value Partnership Grant in the amount of \$13,000 to the Concord Community Music School, Concord, NH, to strengthen the capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#44 Authorized the Bureau of Historic Sites to make a **retroactive sole source** payment to L.M. Cloutier Construction, Waterford, VT, in the amount of \$8,400 for an unpaid invoice dated June 25, 2018, which was for the cost of building and installing 4 movable partitions inside the Main House at the Weeks State Park Historic Site. **100% Agency Income.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Volinsky acted as follows:

#45 Authorized to acquire the fee title to 218.5 +/- acres in Grantham, NH from the Law Office of Mark R. Dunn, on behalf of Diane Shagoury, at the fair market value of \$82,000. Effective upon G&C approval through March 31, 2019. **100% Federal Funds.**

#46 Authorized to acquire fee title to 0.5 acres in Stratford, NH from the Law Office of Mark R. Dunn acting as agent for Robert and Regina Leclerc of Milan, NH, for \$12,000. Effective upon G&C approval through June 30, 2019. **100% Other, Wildlife Habitat Conservation Funds.**

#47 Authorized to accept and expend \$24,403 in federal funds from the National Oceanic and Atmospheric Administration for the purpose of operating the Greenland Discovery Center campus and supporting winter education programming. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#47A Authorized to accept and expend \$35,000 in federal funds from the US Fish and Wildlife Service for the purpose of culturing and stocking anadromous Rainbow Smelt in an effort to restore declining population numbers in Great Bay Estuary. Effective upon G&C approval through December 31, 2019. (2)Further authorized to enter into a **sole source** Cooperative Project Agreement amendment with the University of NH (originally approved by G&C on 4-19-17, item #45), to raise Rainbow Smelt at the UNH Aquaculture Research Center, by extending the end date from December 31, 2018 to December 31, 2019. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas acted as follows:

#48 Authorized to award a **sole source** grant to the Gundalow Company, Portsmouth, NH, to conduct an on-board environmental education series at locations in the Seacoast region, in the amount of \$25,000. Effective upon G&C approval through December 31, 2019. **100% Federal Funds.**

#49 Authorized to enter into an agreement with Northeast Aquatic Research LLC, Mansfield, CT, to fund a data analysis project for dissolved oxygen in state surface waters, totaling \$23,230. Effective upon G&C approval through December 31, 2019. **100% Lake Restoration Funds.**

#50 Authorized to award a Water Supply Land Protection Grant to the Society for the Protection of NH Forests, Concord, NH, in the amount of \$1,151,583 to acquire a conservation easement on 70 acres of land in the Towns of Hooksett and Candia to protect public drinking water supply. Effective upon G&C approval through June 30, 2019. **100% Interagency Funds.**

#51 Authorized to enter into grant agreements with the entities as detailed in letter dated November 27, 2018, to fund Household Hazardous Waste collection projects, totaling \$97,759. Effective upon G&C approval through June 30, 2019. **100% Hazardous Waste Funds.**

#52 Authorized to enter into grant agreements with the entities as detailed in letter dated November 27, 2018, to fund Household Hazardous Waste collection projects, totaling \$32,672. Effective upon G&C approval through June 30, 2019. **100% Hazardous Waste Funds.**

#53 Authorized USAF Logistics, Engineering and Force Protection's request to perform work on the Piscataqua River in Newington.

#54 Authorized Frank D'Anna's request to perform work on Lake Winnepesaukee in Meredith.

#55 Authorized to accept and place on file the 2018 Hazardous Waste Cleanup Fund Annual Report.

DEPARTMENT OF EDUCATION

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas acted as follows:

#56 Authorized to accept and expend grant funds from Walmart in the amount of \$15,000 to support robotics education. Effective upon G&C approval. **100% Private Local Funds.**

#57 Authorized the Bureau of Adult Education to enter into a contract amendment with Nashua Adult Learning Center (originally approved by G&C on 8-23-17, item #88), to provide additional Adult Basic Education classes as defined under the Workforce Innovation and Opportunities Act of 2014, by increasing the amount by \$2,275 from \$1,854,046.93 to \$1,586,321.93. Effective upon G&C approval through June 30, 2019. **100% General Funds.**

#58 Authorized the Division of Learner Support to enter into a **sole source** contract with The National Center for the Improvement of Educational Assessment Inc., Dover, NH, to serve the department as a technical advisor for the PACE innovative assessment and accountability system, in an amount not to exceed \$245,700. Effective upon G&C approval through June 30, 2019, with an option to renew for 4 additional fiscal years. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky acted as follows:

#59 Authorized the Division of State Police to enter into a **sole source** contract with Silver Ships Inc., Theodore, AL, for the provision of repair services required for two of Marine Patrol's Ambar patrol vessels, in the amount of \$65,662. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#60 Authorized the Office of Highway Safety to enter into a **sole source** contract with Anschutz Manchester Hockey LLC (dba Manchester Monarchs), Manchester, NH, to coordinate the highway safety related advertisement campaign during the 2019 season home games, in the amount of \$32,500. Effective upon G&C approval through September 20, 2019. **100% Federal Funds.**

#61 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Milford for the purchase and installation of a generator at the Town's primary Emergency Operations Center for a total amount of \$25,801. Effective upon G&C approval through September 30, 2019. **100% Federal Funds.**

#62 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Lakes Region Mutual Fire Aid Association to purchase and install an incident command system and accountability board and to make broadband improvements in the Association's incident command vehicle for a total amount of \$10,287. Effective upon G&C approval through September 30, 2019. **100% Federal Funds.**

#63 Authorized the Division of Motor Vehicles to accept and expend funds from the Office of Highway Safety, entitled DMV Vehicle Crash Data Update in the amount of \$42,737 for the purpose of reducing the crash report backlog through the addition of overtime and part-time. Effective upon G&C approval through June 30, 2019. **100% Agency Income.**

#64 Authorized the Division of State Police to accept and expend \$17,062 of federal pass-through funds from the Office of Highway Safety, entitled DOS Data Analyst, to pay for overtime related costs for the State Police Data Analyst. Effective upon G&C approval through June 30, 2019. **100% Agency Income.**

#65 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Lisbon for the purchase and installation of a generator at the Town's Emergency Operations Center, for a total amount of \$31,353. Effective upon G&C approval through September 30, 2019. **100% Federal Funds.**

#65A Authorized the Division of Emergency Services and Communications to enter into a contract with ONSOLVE LLC, Ormond Beach, FL, for the purpose of providing a hosted web-based NH Emergency Notification System, in the amount of \$650,000. Effective upon G&C approval through December 31, 2023 with the option to renew for up to three years. **100% Agency Income.**

#65B Authorized the Division of Motor Vehicles to enter into a contract with Informa Business Media Inc. (formerly Penton Business Media Inc.), New York, NY, to provide vehicle valuation and identification information services required for the Municipal Agent Automation Project, in an amount not to exceed \$563,000. Effective January 1, 2019 or upon G&C approval, whichever is later, through December 31, 2023, with the option to renew for two additional periods of two years. **100% Revolving Funds.**

DEPARTMENT OF JUSTICE

#66 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler authorized an annual salary increment to Stephen P. Johnson, Criminal Investigator, from salary level \$67,891.72 (LG BB Step 4) to \$71,594.64 (LG CC Step 5). Effective upon G&C approval or January 11, 2019, whichever is the latter.

#66A The Governor and Council on motion of Councilor Kenney, Seconded by Councilor Wheeler and with Councilors Volinsky and Pappas voting **no**, authorized the petition of Joseph Barton (age 43) requesting a pardon for the offense of Simple Assault, Resisting Arrest and Disorderly Conduct should be granted. The petitioner is not eligible for an annulment until June 28, 2020.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky acted as follows:

#67 Authorized the Bureau of Court Facilities to enter into a **retroactive** lease agreement with the County of Hillsborough, Goffstown, NH, for courtroom and office space for the 9th Circuit–District Division–Goffstown comprised of approximately 8,342 square feet, for an amount not to exceed \$942,636. Effective December 1, 2018 through November 30, 2023. **100% Transfer Funds (transfer from AOC, Rent from Other Agencies).**

#68 Authorized to enter into a **sole source** contract with N-R-G Services Inc., Worcester, MA, to provide temporary boiler operator services, for a total price not to exceed \$60,180. Effective **retroactive** to December 3, 2018 through March 31, 2019. **71% Transfers from Other Agencies, 29% General Funds.**

#69 Authorized the Division of Personnel's request for waiver of classification decisions. Effective upon G&C approval.

#70 Authorized the Division of Public Works Design and Construction to enter into a contract with D.L. King & Associates Inc., Nashua, NH, for the Elevator Upgrade at NH State Men's Prison, Concord, NH, for a total price not to exceed \$713,685. (2)Further authorized a contingency in the amount of \$43,815 for unanticipated expenses, bringing the total to \$757,500. (3)Further authorized the amount of \$15,000 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, Capital Clerk for oversight and engineering services provided, bringing the total to \$772,500. Effective upon G&C approval through October 25, 2019. **100% Capital – General Funds.**

#71 Authorized the Division of Public Works Design and Construction to amend a contract with Dubois and King Inc., South Burlington, VT (originally approved by G&C on 11-8-17, item #77), to continue to provide Mechanical Engineering Services required for the planning, design and construction of various Public Works projects as necessary, by increasing the not-to-exceed amount by \$50,000 from \$300,000 to \$350,000. Effective upon G&C approval through June 30, 2020.

#72 Authorized the Division of Public Works Design and Construction to enter into a **sole source** contract amendment with Coover-Clark Associates Inc., Denver, CO (originally approved by G&C on 5-18-16, item #52), for the Adjutant General's Department Pembroke Readiness Center and State Active Duty Annex, by increasing the base contract amount by \$456,429 from \$901,929.44 to \$1,358,358.44. Effective upon G&C approval through June 30, 2020. **80% Federal, 20% Capital – General Funds.**

#73 Authorized the Division of Public Works Design and Construction to enter into a contract with Fulcrum Associates Inc., Amherst, NH, for the Adjutant General Department's NH Army National Guard Civil Support Team Unit, Concord, NH, for a total price not to exceed \$2,600,315. (2)Further authorized the amount of \$89,000 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$2,689,315. Effective upon G&C approval through September 2, 2019. **100% Federal Funds.**

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ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney voted to remove item #18- which was tabled at the November 14, 2018 Meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Public Health Services

#18 **FAILED** - The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, and with Councilors Kenney, Volinsky and Wheeler voting **no, failed** to authorize the request to enter into a memorandum of understanding with the Department of State, Division of Vital Records Administration, Concord, NH, for the enhancement of birth records for opioid-related surveillance, in an amount not to exceed \$45,000. Effective upon G&C approval through August 31, 2019. **100% Federal Funds.**

LATE ITEMS TABLED AT G&C MEETING 12-5-18

On December 5, 2018:

Prior to discussion of the late items A-C below, the Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, voted to waive the attorney client privilege on the document sent to the Governor and the Councilors through Attorney General Gordon MacDonald from Diane Martin, Senior Assistant Attorney General, dated December 3, 2018, referencing legal sufficiency of the Mount Sunapee Ski Area lease.

Following discussion, the Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, and with Councilors Kenney and Wheeler voting **no**, voted to **table** the late items A-C below.

On December 19, 2018:

~~The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky voted to remove late items A-C below from the table.~~

~~Following discussion, the Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney voted to approve late items A-C below as follows:~~

AS AMENDED On January 9, 2019:

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney voted to approve late items A-C below, for discussion purposes.

After lengthy discussion on items A-C below, Councilor Wheeler made a motion that the discussion end and a vote be taken.

The Governor asked for a roll call vote on each item, as follows:"

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#A Authorized on a roll call vote as follows: Councilor Kenney – yes, Councilor Volinsky – yes, Councilor Prescott – yes, Councilor Pappas – yes, and Councilor Wheeler – yes, the Department of Natural and Cultural Resources to amend the terms of the Lease and Operating Agreement of the ski area at Mount Sunapee State Park by adding Change of Control language effective upon G&C approval through June 30, 2028. The original lease was approved by G&C on June 10, 1998, and an amendment to Lease and Operating Agreement was approved by G&C on April 6, 2016.

#B Authorized on a roll call vote as follows: Councilor Kenney – yes, Councilor Volinsky – **no**, Councilor Prescott – **no**, Councilor Pappas – yes, and Councilor Wheeler – yes, the Department of Natural and Cultural Resources to amend the terms of the Lease and Operating Agreement of the ski area at Mount Sunapee State Park to accept land and to provide for the expansion of the Mount Sunapee State Park. The Amendment shall be effective upon G&C approval. The original Lease was approved by G&C on June 10, 1998 and an Amendment to Lease and Operating Agreement was approved by G&C on April 6, 2016.

#C Authorized on a roll call vote as follows: Councilor Kenney – yes, Councilor Volinsky – yes, Councilor Prescott – yes, Councilor Pappas – yes, and Councilor Wheeler – yes the Department of Natural and Cultural Resources to amend the terms of the Lease and Operating Agreement of the ski area at Mount Sunapee State Park to establish the requirement that the Lessee shall meet with the Mount Sunapee Advisory Commission at the call of the Commissioner and shall operate with the Commission. The Amendment shall be effective Upon G&C approval. The original Lease was approved by G&C on June 10, 1998 and an Amendment to Lease and Operating Agreement was approved by Governor and Executive Council on April 6, 2016.

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Honorable Board then Adjourned at 1:30 p.m.