



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
STATE COUNCIL on the ARTS

19 Pillsbury Street CONCORD, NEW HAMPSHIRE 03301
Phone: 271-2789 Fax: 271-3584

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May 23, 2022

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Natural and Cultural Resources, Division of the Arts, to award an American Rescue Plan Act grant to Electric Earth Concerts (VC #282772), Peterborough, NH in the amount of \$6,000 for artist contract fees for their 13-concert series, effective upon Governor and Council approval through June 30, 2022. 100% Federal Funds.

Funds are available in account, ARPA Grant DNCR Arts Council, as follows:

03-035-035-353510-24930000-072-500575 - Grants Federal

FY 2022
\$6,000

EXPLANATION

The National Endowment for the Arts amended the Arts Partnership Grant to the New Hampshire State Council on the Arts to assist arts and cultural nonprofit organizations sustain their operations. These American Rescue Plan funds are intended to help these entities and their employees endure the economic hardships caused by the pandemic and to distribute critical funds to a broad constituency and geographic range. The first forty-three organizations to receive funding were those awarded Public Value Partnership grants in July 2021.

This funding category recognizes that the nonprofit arts industry is an important sector of New Hampshire's economy, and that financial support is necessary to help save jobs and keep operations functioning. The grant awards are designed to assist in the recovery of organizations that are at risk of permanent closure, or endured loss of paid staff, venue, or significant revenue. Organizations were allowed to request funds for salary support, marketing, fulfill contracts with artist's, rent and utilities, or health and safety supplies.

Six panelists reviewed forty-one applications and recommended thirty-seven awards based on three criteria: quality of arts programming, administrative capacity, and impact on the arts work force. Grant categories and deadlines are advertised through the divisions' website, social media and electronic newsletters.

Earlier in Fiscal Year 2022, Electric Earth Concerts was awarded an Arts for Community Engagement grant in the amount of \$5,100 bringing the cumulative total over the \$10,000 threshold, therefore requiring Governor and Council approval. Electric Earth Concerts presents concerts in acoustically fine churches and meetinghouses in southwest New Hampshire.

The Attorney General's Office has reviewed and approved the agreement as to form, substance, and execution.

Respectfully submitted,

(15M)

Sarah L. Stewart
Commissioner

Vendor ID # 282772

FY2022ARP # 10635

Acct Code: 2400000-07235USNRRP



NEW HAMPSHIRE STATE COUNCIL ON THE ARTS GRANT AGREEMENT

This agreement between the State of New Hampshire, New Hampshire State Council on the Arts (hereinafter "Council") and Electric Earth Concerts (hereinafter "Grantee") is to witness receipt of funds subject to the following conditions:

1. **GRANT PERIOD:** FY2022

2. **OBLIGATIONS OF THE GRANTEE:**

- The Grantee agrees to accept \$6,000.00 and apply it to the program(s) described in the grant application and approved budget for **American Rescue Plan | Artist Contract Fees**. In the performance of this grant agreement, the Grantee is in all respects an independent contractor and is neither an agent nor employee of the State.
- Funding credit including Council logo must appear in all programs, publicity, and promotional materials. The following wording and Council logo should be used:



Electric Earth Concerts is supported in part by a grant from the New Hampshire State Council on the Arts & the National Endowment for the Arts.

- The Grantee acknowledges that the NHSCA Program Coordinator may schedule a site visit to the organization and may request a site visit from the NHSCA.
- The Grantee agrees to abide by the limitations, conditions and procedure outlined herein and in the attached appendices. If appropriated funds for this grants program are reduced or terminated, all payments under this grant may cease. That determination rests within the sole discretion of the Council.

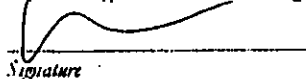
3. **PAYMENT** will be made following the receipt and execution of all required documents and approval of the Governor and Executive Council

4. **FINAL REPORT:** The Grantee agrees to submit a final financial and narrative report on a form provided by the Council no more than 30 days after the end of the grant period. **Failure to submit the final report will render the Grantee ineligible for Council funding for two years.**


5. **SOVEREIGN IMMUNITY:** No provision of this contract is to be deemed a waiver of sovereign immunity by the State of New Hampshire.

COUNCIL APPROVAL

Contracting Officer for State Agency

 5/25/22
Signature Date

Name, Title: Virginia Lupi, Director

 6/02/2022
Signature Date

Name, Title: Sarah Stewart, Commissioner

APPROVED BY ATTORNEY GENERAL

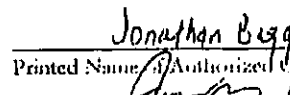
as to form, substance and execution:

 6/3/2022
Office of Attorney General Date

GRANTEE SIGNATURE

Org/ Name: Electric Earth Concerts

Address: PO Box 44 Peterborough, NH 03458

 5/18/22
Printed Name: Jonathan Bagg
Authorized Official's Signature & Title Date

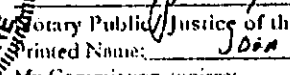
Authorized Official's Signature & Title Date

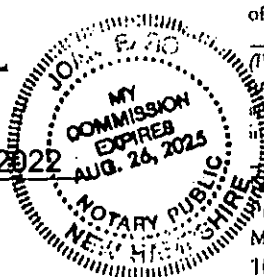
NOTARIZATION REQUIRED:

STATE OF NEW HAMPSHIRE, COUNTY OF HILLSBOROUGH

On the 17 day of May 2022 before the undersigned officer, personally appeared Jonathan Bagg

(Print name of person whose signature is being notarized)
I am satisfied to be the person whose name appears above, and I acknowledge that s/he executed this document in the capacity indicated.

 8/26/25
Notary Public Justice of the Peace
Printed Name: Joia Epp
My Commission expires: 8/26/25
10635]



Corporate Resolution

I, Laura Gilbert (Name of Person A), hereby certify that I am duly elected Clerk/Secretary/Officer of Electric Earth Concerts (Name of Organization). I hereby certify the following is a true record of a vote taken at a meeting of the Board of Directors/shareholders, duly called and held on April 16, 2022, at which a quorum of the directors/shareholders were present and voting.

Voted: That Jonathan Bupp, Treasurer (Name of Person - cannot be Person A) (may list more than one person) is duly authorized to enter into contracts or agreements on behalf of Electric Earth Concerts (Name of Organization) with the State of New Hampshire and any of its agencies and departments and further is authorized to execute any documents which may in his/her judgement to be desirable or necessary to affect the purpose of this vote.

I hereby certify that said vote has not been amended or repealed and remains in full force and effect as the date of the contract to which this certificate is attached. This authority shall remain valid for thirty (30) days from the date of this Corporate Resolution. I further certify that it is understood the State of New Hampshire will rely on this certificate as evidence the person(s) listed above currently occupy the positions(s) indicated and that they have full authority to bind the corporation. To the extent that there are limits on the authority of any listed individual to bind the corporation in contracts with the State of New Hampshire, all such limitations are expressly stated herein.

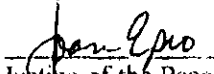
DATED: 5/17/22

ATTEST: 
(Signature of Person A)

STATE OF New Hampshire

COUNTY OF Hillsborough

On the 17 day of May 2022, before me Joan Epro, the undersigned officer personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for purposes therein contained. In witness whereof, I hereunto set me hand and official seal:


Justice of the Peace / Notary Public

My Commission Expires: 8/26/25



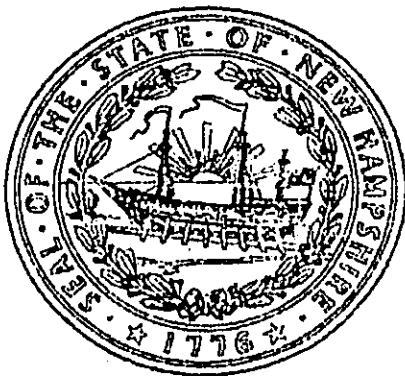
State of New Hampshire
Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that ELECTRIC EARTH CONCERTS is a New Hampshire Nonprofit Corporation registered to transact business in New Hampshire on July 25, 2012. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned.

Business ID: 675198

Certificate Number: 0005475587



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 3rd day of December A.D. 2021.

A handwritten signature in cursive script, appearing to read "William M. Gardner".

William M. Gardner
Secretary of State

Business Information

Business Details

Business Name: ELECTRIC EARTH CONCERTS	Business ID: 675198
Business Type: Domestic Nonprofit Corporation	Business Status: Good Standing
Business Creation Date: 07/25/2012	Name in State of Incorporation: Not Available
Date of Formation in Jurisdiction: 07/25/2012	
Principal Office Address: 19 GROVE STREET, Peterborough, NH, 03458, USA	Mailing Address: PO BOX 44, Peterborough, NH, 03458, USA
Citizenship / State of Incorporation: Domestic/New Hampshire	
	Last Nonprofit Report Year: 2020
	Next Report Year: 2025
Duration: Perpetual	
Business Email: NONE	Phone #: NONE
Notification Email: NONE	Fiscal Year End Date: NONE

Principal Purpose

S.No	NAICS Code	NAICS Subcode
1	OTHER / providing music free of charge to groups in the Monadnock Region	

Principals Information

Name/Title	Business Address
DAVID DRINKWATER / President	190 MAIN ST, Francestown, NH, 03043, USA
JONATHAN BLOOM / Treasurer	119 OLD HOMESTEAD HWY, Richmond, NH, 03470, USA
LAURA GILBERT / Secretary	870 RIVERSIDE DR., APT 4B, New York, NY, 10032, USA
JONATHAN BAGG / Director	1603 GREENLEAF ST., Durham, NC, 27701, USA
CAROL GEHLBACH / Vice President	225 GILSON ROAD, Jaffrey, NH, 03452, USA

< Previous ... 1 **2** ... Next > Page 1 of 2, records 1 to 5 of 8 Go to Page

Registered Agent Information

Name: Not Available

Registered Office Not Available
Address:

Registered Mailing Not Available
Address:

Trade Name Information

No Trade Name(s) associated to this business.

Trade Name Owned By

No Records to View.

Trademark Information

Trademark Number	Trademark Name	Business Address	Mailing Address
No records to view.			

[Filing History](#) [Address History](#) [View All Other Addresses](#) [Name History](#) [Shares](#)

[Businesses Linked to Registered Agent](#) [Return to Search](#) [Back](#)

NH Department of State, 107 North Main St Room 204, Concord, NH 03301 -- [Contact Us](#)
[\(/online/Home/ContactUS\)](#)

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MICHOSG-02

ESMYTH

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/26/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bellows-Nichols Agency Inc. 10 Main Street P.O. Box 299 Peterborough, NH 03458	CONTACT NAME:	PHONE (A/C, No, Ext): (603) 924-7155	FAX (A/C, No): (603) 924-9173
	E-MAIL ADDRESS: reception@bellowsnichols.com		
INSURED Electric Earth Concerts PO Box 44 Peterborough, NH 03458	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : MMG Insurance Company		15997
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			CF0705231	2/27/2022	2/27/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

NH State Council on the Arts
19 Pillsbury St.
Concord, NH 03301

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



MICHOSG-02

JLETOURNEAU

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/30/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER Bellows-Nichols Agency Inc. 10 Main Street P.O. Box 299 Peterborough, NH 03458	CONTACT NAME: Erin Smyth	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
INSURED Electric Earth Concerts PO Box 44 Peterborough, NH 03458	E-MAIL ADDRESS: esmyth@bellowsnichols.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: MMG Insurance Company	
	INSURER B: Mount Vernon Fire Insurance Co	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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INSR LTR	TYPE OF INSURANCE	ADOL INSR	SUBR INSR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CF0705231	2/27/2021	2/27/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N N/A If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Directors and Office			NDO2551675H	9/1/2021	9/1/2022	Aggregate \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

NH State Council on the Arts
19 Pillsbury St.
Concord, NH 03301

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AUTHORIZED REPRESENTATIVE

Ferris, Taya M

From: Mason, Cassandra
Sent: Thursday, June 2, 2022 12:12 PM
To: Ferris, Taya M
Subject: FW: Worker's Comp Question

Can you ask Michael if this is enough?
Thanks,
Cassie

From: Jonathan Bagg <jbagg@duke.edu>
Sent: Thursday, June 2, 2022 10:58 AM
To: Mason, Cassandra <cassandra.a.mason@dncr.nh.gov>
Subject: Re: Worker's Comp Question

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Cassandra,
All of our workers are compensated as independent contractors and get 1099s. So the insurance certificate should reflect that.
Best,
Jonathan

Sent from my phone

On Jun 2, 2022, at 9:02 AM, Mason, Cassandra <cassandra.a.mason@dncr.nh.gov> wrote:

Good Morning,
I have a request from the Attorney General's Office regarding employees at Electric Earth.
The Insurance Certificate reflects Worker's Comp for Directors and Officers, however no employee coverage.

Does Electric Earth have no employees?

Thanks,
Cassie



New Hampshire
State Council on the Arts

Cassandra Mason
Grants Officer

Department of Natural and Cultural Resources

603.271.7926 | cassandra.a.mason@dncr.nh.gov

[NH State Council on the Arts](#) | [CreativeGround](#) | [Organizational Support](#) | [Arts in Health](#)