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

19 Pillsbury Street CONCORD, NEW HAMPSHIRE 03301

January 10, 2020

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

REQUESTED ACTION

Authorize the Department of Natural and Cultural Resources, Division of the Arts to award a Public Value Partnership Grant to Lebanon Opera House Improvement Corporation (VC #157014), Lebanon, NH in the amount of \$15,000 to strengthen their capacity for affordable diverse arts programs to New Hampshire residents and visitors effective upon Governor and Executive Council approval through June 30, 2020. 100% General Funds

Funding is available in account, State Arts Development, as follows:

03-035-035-353510-41040000-073-500575 - Grants Non Federal	<u>FY 2020</u> \$15,000
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EXPLANATION

Public Value Partnerships are awarded to nonprofit arts organizations, with a minimum of 5 years of continuous arts programming and professional staffing, to strengthen their capacity for offering affordable, diverse arts program to New Hampshire's residents and visitors. Grant categories and deadlines are advertised through the divisions' website, social media and electronic newsletters.

At a recent meeting, the NH State Art Councilors unanimously voted to accept the Arts Division's Public Value Partnership Review Panel's recommendations for the partnerships based on its funding priority ranking within a competitive review. The six-member peer panel, facilitated by an Arts Councilor, considered 17 criteria to arrive at a consensus ranking for each application. The evaluative criteria range from the administrative capacity of the organization, artistic quality, strategic planning, to community impact and accessibility.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah L. Stewart", with a small circular stamp above it.

Sarah L. Stewart
Commissioner

157014

FY2020OPP1 # 9879

Acct Code: ~~41040000~~ 073-3558905



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 Lebanon Opera House Improvement (hereinafter "Grantee") is to witness receipt of funds subject to the following conditions:

1. GRANT PERIOD: FY2020

2. OBLIGATIONS OF THE GRANTEE:

- The Grantee agrees to accept \$15,000.00 and apply it to the program(s) described in the grant application and approved budget for Investment in Cultural Infrastructure. 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:



New Hampshire State Council on the Arts

Lebanon Opera House Improvement 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.

INCA APPROVAL

Contracting Officer for State Agency

Shane Stewart 1/16/20
Signature Date

Name, Title: Shane L. Stewart
Commissioner

APPROVED BY ATTORNEY GENERAL

as to form, substance and execution:

Jill Keenan 1/30/2020
Office of Attorney General Date

GRANTEE SIGNATURE

Org/ Name: Lebanon Opera House Improvement

Address: 51 N. PARK ST LEBANON, NH 03766
JOE CLIFFORD

Printed Name of Authorized Official for Grantee

EXECUTIVE DIRECTOR 12/18/19
Authorized Official's Signature & Title Date

NOTARIZATION REQUIRED:

STATE OF NEW HAMPSHIRE, COUNTY OF Grafton

On the 18 day of December 2019 before the undersigned officer, personally appeared

Joseph Clifford
(Print name of person whose signature is being notarized)

or satisfactorily proven to be the person whose name appears above, and acknowledged that s/he executed this document in the capacity indicated.

Notary Public/Justice of the Peace

Printed Name: Christina Rogers

My Commission expires:



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 LEBANON OPERA HOUSE IMPROVEMENT CORPORATION is a New Hampshire Nonprofit Corporation registered to transact business in New Hampshire on February 26, 1991. 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: 154688

Certificate Number: 0004631634



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 23rd day of December A.D. 2019.

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

William M. Gardner
Secretary of State

Board Resolution

I, ANN GREENWALD, hereby certify that I am duly elected Clerk/Secretary of
(Name)

LEBANON OPERA HOUSE. I hereby certify the following is a true copy of a vote taken at
(Name of Organization)

a meeting of the Board of Directors/shareholders, duly called and held on DECEMBER 16, 2019
at which a quorum of the Directors/shareholders were present and voting.

VOTED: That JOE CLIFFORD,
EXECUTIVE DIRECTOR is duly authorized to enter a
(Name and Title) person signing grant agreement

Contract on behalf of LEBANON OPERA HOUSE with the
(Name of Organization)

NH State Council on the Arts State of New Hampshire and further is
(Name of State Agency)

Authorized to execute any documents which may in his/her judgment be
desirable or necessary to effect 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 of the 16th of DECEMBER 2019. I further certify that it is understood that the
State of New Hampshire will rely on this certificate as evidence that the person listed above currently
occupies the position indicated and that they have full authority to bind the corporation to the specific
contract indicated.

DATED: 12/16/19

ATTEST: Ann Greenwald
(Name and Title) Clerk/Secretary



LEBAOPE-01

MDEMICK

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/23/2019

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 A.B. Gile, Inc. PO Box 66 Hanover, NH 03755	CONTACT NAME: PHONE (A/C, No, Ext): (603) 643-4540		FAX (A/C, No): (603) 643-7202	
	E-MAIL ADDRESS:			
INSURED Lebanon Opera House Improvement Corporation P. O. Box 384 Lebanon, NH 03766	INSURER(S) AFFORDING COVERAGE		NAIC #	
	INSURER A: Liberty Mutual Ins. Co.			
	INSURER B: Liberty Mutual Insurance			
	INSURER C: Travelers Indemnity Co.			
	INSURER D:			
	INSURER E:			

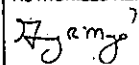
COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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 WYD	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:			BKW58386823	3/11/2019	3/11/2020	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 - COMPI/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTIONS \$ 10,000			USO58386823	3/11/2019	3/11/2020	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/EMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	6JUB-1K89207-2-19	3/11/2019	3/11/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Covered States 3.A. Part One: NH; 3.C. Part Three: Form WC00-03-26(A). Excluded Officers: Steven Theriault, George Lightbody, Eric Janson.

EVIDENCE OF INSURANCE
RE: GRANT APPLICATION

CERTIFICATE HOLDER Department of Natural and Cultural Resources 19 Pillsbury Street, 1st Floor Concord, NH 03301	CANCELLATION 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 
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NHSCA Grantee Information 2019 (FY20)

Lebanon Opera House Improvement Corporation (DUNS 94-749-4324)

Mission: To elevate the quality of the performing arts in the Upper Valley and serve as a catalyst for community participation in the performing arts for people of all ages through the presentation of a diversity of local, national and international artists.

Service Area: LOH programs primarily serve Upper Valley communities within a 30-mile radius of Lebanon, NH, on both sides of the Connecticut River.

Joe Clifford, Executive Director (annual salary \$85,000)

Joe Clifford is an arts administration leader with more than 20 years of nonprofit and arts presenting experience; he joined Lebanon Opera House as Executive Director in March 2017.

For the previous 17 years, he had risen through the ranks at Dartmouth College's Hopkins Center for the Arts in Hanover, NH. His most recent work as Audience Engagement Director included oversight of the organization's strategic communication—marketing, public relations, and design—as well as ongoing research about student engagement in the arts. Previously, Joe spent ten years leading the Hop's Outreach and Arts Education programs. In that role, he planned 200 multi-disciplinary residency events each year through the visiting performing artist series.

He recently served as a member of the City of Lebanon's Arts & Culture Task Force and was appointed to the City's new Arts & Culture Commission in March 2019.

Joe is a 2018 graduate of Vital Communities' Leadership Upper Valley program and an active board member (and past president) of the Arts Presenters of Northern New England (APNNE) consortium. He recently completed a two-year fellowship program created by the Association of Performing Arts Professionals (APAP) and the Arts Leadership Program at the University of Southern California. In 2004, he was identified by APAP as an "emerging leader" in the presenting field.

Joe is also a founding member and past chair of the NH/VT Upper Valley Arts Alliance. He holds a BA in Communications/Public Relations from Seton Hall University in South Orange, NJ. A longtime resident of Windsor, VT, he now resides in Plainfield, NH, with his wife and two teenage sons.

<u>Programming</u>	<u>6/30/2019</u>	<u>2019 Budget</u>	<u>YTD % of 2019 Budget</u>
LOH Shows (Net) \$	155,339.62 \$	41,930.00	370.47%
Rental Shows (Net) \$	145,519.58 \$	208,830.00	69.68%
YES & Community Shows \$	(13,288.58) \$	(30,000.00)	44.30%
YES Grant Funding Support \$	20,000.00 \$	20,000.00	100.00%
YES Net Gain (Loss) \$	6,711.42 \$	(10,000.00)	-67.11%
Other Show Income (Expense) \$	(610.78) \$	-	
Credit Card Processing \$	(20,466.26) \$	(21,269.26)	96.23%
Patron Manager Ticketing Expense \$	(24,864.96) \$	(25,556.00)	97.30%
Total Programming Gain/(Loss) \$	261,626.62 \$	193,934.74	134.90%
<u>Development</u>	<u>6/30/2019</u>	<u>2019 Budget</u>	<u>YTD % of 2019 Budget</u>
Restricted Grant Income \$	108,000.00 \$	-	
Unrestricted Grant Income \$	187,250.00 \$	47,125.00	397.35%
Individual Donations \$	203,675.83 \$	180,000.00	113.15%
Corporate Sponsorship and Gift Income \$	52,025.00 \$	57,750.00	90.09%
Other Development income \$	1,383.12 \$	-	
Direct Development Expenses \$	(10,804.41) \$	(8,800.00)	122.78%
Total Development Gain(Loss) \$	541,529.54 \$	276,075.00	196.15%
Total Operating Gain (Loss) \$	803,156.16 \$	470,009.74	170.88%

LEBANON OPERA HOUSE 2019/2020 BOARD OF DIRECTORS

Ann Malenka, President
Etna, NH

Matthew Locker, Vice President
Lebanon, NH

Patricia Morse, Treasurer
Lebanon, NH

Ann Greenwald, Secretary
Norwich, VT

Christopher Adams
Lebanon, NH

Sharon Brown
Lebanon, NH

George Caccavaro
Croydon, NH

Ellen Dijkman Dulkes
Lebanon, NH

Dianne Estes
West Lebanon, NH

Patrick Hayes
Lebanon, NH

Kevin Lane Keller
Etna, NH

Kay McCabe
Norwich, VT

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Dr. Robert Racusin
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Jonathan Scott
Plainfield, NH