

Executive Council Meeting Report

Meeting June 20, 2018



Wildflowers

The Council voted 3-2 to approve a contract to seed seven acres of NH highways with wildflowers. Chris Pappas, Russ Prescott and I voted to approve the \$200,000 contract that the Governor brought forward for our consideration. (That's how it works. The Governor decides which contracts the Council considers.) In this case, the Governor did not have much choice as the Legislature in 1998 created a trust fund specifically to plant lilacs and wildflowers on the state's highways. The money for the fund comes from conservation or "Moose" plates and \$50,000 a year is dedicated to this purpose. The statute, RSA 261:97-B "Conservation Number Plate Trust Fund," was last updated by the Legislature in 2017. The NH Department of Transportation accumulates the money for a few years to justify the effort to bid the contract and do the plantings. I voted for the contract because wildflower plantings are not mowed, help bee populations and, in my humble opinion, are more scenic. For more about the Conservation and Heritage License Plate Program, go here:

<http://www.mooseplate.com/recipient-agencies/nh-dept-of-transportation/>

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Breakfast at the Department of Transportation

Our breakfast on June 20th was hosted by Councilor Pappas and the Department of Transportation. Our meeting included a tour of the materials lab where testing is done by the Department.

Vocational Rehabilitation Services Wait List

Commissioner of Education Frank Edelblut, at my request, also presented an update at breakfast about the vocational rehabilitation services in New Hampshire. Vocational rehabilitation services are provided to qualified individuals who are differently-abled so that they may participate in the workforce. Self-sufficiency benefits the individuals involved and their families and reduces the costs to New Hampshire of providing funds to support people with disabilities. The Vocational Rehabilitation Services Division is administratively a section of the New Hampshire Department of Education.

Commissioner Edelblut confirmed that he, with the Governor's approval, has now created a new waiting list for persons in need of vocational rehabilitation services because of a purported shortfall in funds. He also confirmed that he did not specifically request help for this division from the Governor or Legislature in the so-called Christmas Tree Bill in which the Legislature distributed \$110 million to meet unanticipated needs. Finally, even though there is already in existence the Governor's Commission on Disabilities, the Commissioner is convening his own stakeholder group in July to discuss the funding reductions on a going forward basis. For more information on the Governor's Commission, which is statutorily mandated, go here:

<https://www.nh.gov/disability/about/index.htm>

Commendation for Marvel Comic's the Blue Ear (aka Anthony Smith)

The Governor issued a commendation to young Anthony Smith of Portsmouth for the inspiration he and his mother, Christine, offered Marvel Comics that resulted in the creation of a new Marvel Comic character, the Blue Ear. The Blue Ear's powers come from his hearing aids. Anthony and his mother were inspired to write to Marvel asking for help because Anthony, who wears a hearing device made of blue plastic, could not picture himself or any child with a hearing problem as a super hero. Anthony, coincidentally, is the grandson of Senator Lou D'Allesandro of Manchester, who proudly watched the brief ceremony in the Council Chamber with his wife, Patty. For more on the Blue Ear, go here:

https://news.marvel.com/comics/23586/iron_man_introduces_blue_ear/

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A. Off Agenda Discussions—Immigration and New Hampshire

There were two discussions that were not related to agenda items that are worthy of mention.

First, I asked the Commissioner for the Department of Transportation if there are state electronic highway billboards north of the Notch that could be used to alert drivers to Border Protection checkpoints that are generally on I-93, near Lincoln, below the Notch. The Commissioner confirmed that there is this capacity. The Governor, however, said that he refuses to allow the use of the existing electronic billboards for this purpose.

Second, Councilor Pappas asked the Governor if the state has received a request to send the New Hampshire National Guard to assist with border supervision in the southern part of the country. The Governor informed the Council that no request has been received. Councilor Pappas then asked if the Governor would agree to provide the Council with notice of such a request if one is received. The Governor said he would notify the public generally about such a request before he makes a decision to comply.

B. Agenda Items of Interest

Considering the time of year, the Council had a modest agenda of 160 items plus a handful of late items and a few items were carried over from the prior agenda.

Homeless Aid

The Council approved a one year extension of a homeless support contract with the Community Action Program of Merrimack and Belknap County for \$200,000 increasing the contract from \$600,000 to approximately \$800,000. The contract is funded by state general funds. The Council also approved approximately \$1.78 million in federal funds for vendor contracts to provide shelter to the chronically homeless.

Family Aid and Inclusion

The Council approved the expenditure of \$610,000 to various vendors to facilitate the federal Assessment and Family Inclusion Reunification Services Program through the Division of Children and Youth Services.

Market Rate Study of Childcare

The Council approved a funded extension of a contract to conduct a market rate study of licensed daycare programs in New Hampshire for \$85,000.

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\$23 Million Additional for Substance Abuse Treatment

After his presentation about agenda items, I asked Commission Meyer to provide an overview of how the additional \$23 million in Substance Abuse monies will be used in New Hampshire. The Commissioner explained that the Substance Abuse and Mental Health Services Administration (SAMSA) distributes about \$930 million each year to states for the treatment and prevention of substance abuse. The New Hampshire allocation was recently increased by \$23 million because of the scope of the state's problem. The increased funding is to be focused on evidence based, medically assisted treatment. The state is to use the money to increase its treatment capacity and to reduce overdose deaths. The state is to submit its application by the end of September and in the application the state must detail how it will use the additional funds. Commissioner Meyer explained that other funds are likely to be received in the future to address prevention concerns.

Disposition of Commuter Coaches

The Council approved the acceptance and expenditure of \$312,754 in insurance proceeds related to the disposition of Concord Coach busses. The state owns the Concord Coach busses and from time to time replaces them and subsidizes bus service within the state.

Community Development Finance Authority

The Council approved a \$500,000 award to the city of Claremont to fund further development of its dental clinic to allow fabrication of teeth on site. The clinic currently extracts a number of teeth, allowing patients to avoid much more expensive hospital care, but has limited fabrication capacity.

UNIQUE College Scholarship Money

The Council approved the acceptance of an additional \$800,000 for the UNIQUE scholarship program. The funding comes from a portion of the fees related to Fidelity's management of the state's 529 UNIQUE college investment plan. Since its inception in 1996, the UNIQUE College Scholarship Program has distributed over \$120 million in scholarship money to students attending college in New Hampshire. The program is separate and distinct from the Governor's \$4 million scholarship program that was created this year and is funded by state general funds. For more about the UNIQUE College Scholarship Program, go here: <https://www.nh.gov/treasury/college-savings/unique-scholarships.htm>.

For information about New Hampshire's 529 plan, go here:
<https://www.fidelity.com/go/529-New-Hampshire/overview>

Inmate Access to Lexis/Nexis Research

By a 4-1 vote, Councilor Wheeler dissenting, the Council approved a \$74,250 contract with Lexis/Nexis that will permit inmates to access online

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legal materials as required by the Constitution through their state-issued tablets. The contract is funded by inmate recreation funds.

Solar Grants

Implementing legislation designed to help low and moderate income home owners, RSA 362-F:10, the Council approved three grants to partially fund solar projects in Plymouth, Laconia and Lebanon. The rest of the funding for the projects will be through power purchase agreements.

Amendments to Retirees' Health Care

A contract to amend the Retiree Health Care Plan was presented to the Council at its last meeting on June 6th. I coordinated an effort to table the contract to allow time for the Department of Administrative Services (DAS) to consult with some of the approximately 9300 retirees who will be subject to the change. A meeting with SEIU retirees occurred on June 18th and I attended the presentation and listened to the questions asked and answers provided. The state projects a savings of \$11 million as a result of the amendment over a two year period.

The change that will occur is that retirees will be moved, as a group, from the state's Medcomp plan to Anthem's Medicare Advantage Plan. The change only affects retirees who are over 65. The retirees were told that they would keep their current providers and every provider who takes Medicare will be considered "in network" no matter where the retiree seeks attention. The services to be covered are also to remain the same.

The \$11 million in savings, the retirees were told, are not to come from a reduction in services. Rather, the \$11 million comes from federal incentives that the state will receive by switching from a state self-insurance plan to a fully insured Anthem plan. This part of the explanation eased my concerns that retirees not be squeezed on their services to find savings.

The new contract is set to begin in January 2019 and will run for two years. The state can revert to its current Medcomp plan in two years if the experience with Anthem is not acceptable.

Managed care is often touted as a money saving measure with mixed results and limited satisfaction on the part of those being managed. Thus, I view the change with some skepticism. The savings here, however, may result from the state's ability to receive additional federal funds offered to incentivize the switch from a self-insurance plan to one that is fully insured by Anthem.

C. Nominations and Confirmations

The following nominees were confirmed:

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Adult Parole Board

John S. Brandte, Concord

Board of Dental Examiners

(Dental Hygienist Member) Lisa A. Scott, Hooksett

Board of Licensing for Alcohol and Other Drug Use Professionals

(Master Licensed Alcohol & Drug Counselor) Alexandra H. Hamel, Weare

Board of Psychologists

(Psychologist) Robert P. Walrath, Nashua

(Psychologist) Tonya F. Warren, Plymouth

(Public Member) Lauren Greenwald, Portsmouth

Business Finance Authority

Dick Anagnost, Bedford

Charles F. Withee, Hampton

Compensation Appeals Board

(Employer/Insurer) Arthur J. Beaudry, Manchester

(Labor) Marc G. Beaudoin, Hooksett

Deputy Attorney General

Jane E. Young, Auburn

Division of Fire Safety State Fire Marshal

Paul J. Parisi, Salem

Division of Taxpayer Services Director, DRA

Debra A. Bourbeau, Bow

Electricians Board

(Journeyman Electrician) Henry J. Szumiesz, Penacook

Lottery Commission

Paul J. Holloway, Rye

New Hampshire Health and Education Facilities Authority

Jill A. Duncan, Meredith

State Coordinating Council for Community Transportation in New Hampshire (SCC)

Ellen A. Avery, Jaffrey

Jesse T. Lore, Portsmouth

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Theresa C. Paige, Franklin

Water Council

(Granite State Designers & Installers Association) Gary R. Spaulding,
Canterbury

D. Spotlight

\$15 an Hour

At my request, the state's agencies began reporting the lowest rates of compensation paid by state vendors to their employees on the contracts in question. The following contractors were approved with the pay scales noted:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Public Health Services

#24 Authorize the Bureau of Laboratory Services, to enter into a retroactive sole source amendment with Mirion Technologies (Canberra) Inc., Meriden, CT (originally approved by G&C on 9-14-11, item #89), for the provision of repair and service of the Canberra Radiochemistry Analyzer System, by increasing the price by \$113,413 from \$123,736.66 to \$237,149.66, and by extending the completion date from August 27, 2017 to August 31, 2020. *Mirion Technologies (Canberra) Inc. reports a lowest hourly wage of \$28.00 per hour for this contract.*

New Hampshire Hospital

#35 Authorize to exercise a renewal option with Norris Inc., South Portland, ME, for the provision of inspection, testing, preventative maintenance, and corrective or emergency repairs for life safety systems at NH Hospital, by increasing the price by \$45,500 from \$45,000 to an amount not to exceed \$90,500, and by extending the completion date from June 30, 2018 to June 30, 2020. *Norris Inc. reports a lowest hourly wage of \$18.00 per hour for this contract.*

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#100 Authorize the Division of Parks and Recreation to enter into a contract with Ultiplay Parks & Playgrounds Inc., Uxbridge, MA, to install a new playground at Lafayette Place Campground in Franconia Notch State Park, in the amount of \$181,511. Effective upon G&C approval through October 26, 2018. *Ultiplay Parks & Playgrounds, Inc. reports a lowest hourly wage of \$19.00 per hour for this contract.*

E. Next Meeting

Our next regularly scheduled Executive Council meeting will occur on July 11, 2018, beginning at 10 a.m. at the Crotchet Mountain School in

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Greenfield. Councilor Wheeler will host the meeting. The agenda for the meeting will be posted by the Secretary of State on the Executive Council web page late on the preceding Friday afternoon. <http://sos.nh.gov/GC2.aspx>

The Council breakfast which anyone may attend will be held at the same location beginning at 8:00 a.m.

F. Judicial Hearing

There will be a confirmation hearing for Janet Subers who has been nominated to be a Circuit Court Judge on June 28, 2018 beginning at 9 a.m. in Council Chambers.

G. Items of Interest to District Two, by Region

Region 1-Monadnock Region

OFFICE OF STRATEGIC INITIATIVES

#64 Authorize to enter into a sole source contract with Southwestern Community Services Inc., Keene, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving weatherization services, in the amount of \$161,341. (2)Further authorize to advance the vendor \$27,589. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds (US DHHS/LIHEAP). Unanimous.

#66 Authorize to enter into a sole source contract with Southwestern Community Services Inc., Keene, NH, to supplement the Agency's Weatherization Assistance Program, in the amount of \$102,672. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds (LIHEAP-US DHHS). Unanimous.

DEPARTMENT OF EDUCATION

#126 Authorize to amend a contract on a sole source basis with A.C.C.E.S.S. Inc., Winchester, NH (originally approved by G&C on 6-24-15, item #157), to continue to offer extended day programming for youth and their families, by increasing the price by \$76,735 from \$255,725.50 to \$332,460.50. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds. Unanimous.

#127 Authorize the Bureau of Student Wellness to exercise a renewal option on a sole source contract with Antioch University New England, Keene, NH (originally approved by G&C on 8-23-17, item #82), to continue working in partnership with the NHDOE in developing and implementing a comprehensive evaluation plan for the System of Care, by increasing the price by \$413,926.42 from \$413,637 to \$827,563.42. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds. Vote 4-1, Councilor Wheeler voting no.

Region 2-Merrimack County

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Housing Supports

#23 Authorize to exercise a renewal option to a sole source agreement with Community Action Program Belknap-Merrimack, Concord, NH (originally approved by G&C on 8-26-15, item #12), for the State Grant-in-Aid Funds program, by increasing the price by \$199,782 from \$599,346 to \$799,128, and by extending the completion date from June 30, 2018 to June 30, 2019. 100% General Funds. Unanimous.

Division of Public Health Services

#27D Authorize to exercise a renewal option and amend an existing contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH (originally approved by G&C on 8-3-16, item #12), to continue to provide voluntary targeted testing counseling and referral services in non-healthcare settings to individuals at high risk of acquiring Human Immunodeficiency Virus and Hepatitis C Virus, by increasing the price by \$20,000 from \$20,000 to an amount not to exceed \$40,000, and by extending the completion date from June 30, 2018 to June 30, 2020. 100% Federal Funds. Unanimous.

Bureau of Drug and Alcohol Services

#28 Authorize to exercise a renewal option to an existing agreement with Granite Pathways, Concord, NH (originally approved by G&C on 8-2-17, item #10D), for the provision of a Family Support Coordinator for Peer Recovery Support Services, by increasing the price by \$105,000 from \$120,000 to \$225,000, and by extending the completion date from June 30, 2018 to June 30, 2019. 100% Other Funds. Unanimous.

Division of Behavioral Health

#31 Authorize the Bureau of Mental Health Services to exercise a renewal option to an existing agreement with Riverbend Community Mental Health Inc., Concord, NH (originally approved by G&C on 6-24-15, item #16), for Mobile Crisis Services and Supports to individuals 18 years or older who are experiencing a mental health crisis, including those with a co-occurring substance use disorders, in the NH Community Mental Health Region IV, by increasing the price by \$2,796,632 from \$4,274,880 to \$7,071,512, and by extending the completion date from June 30, 2018 to June 30, 2020. 100% General Funds. Unanimous.

#32 Authorize to enter into an amendment to a sole source agreement with Granite Pathways, c/o Fedcap, Concord, NH (originally approved by G&C on 7-13-16, item #6C), to continue Regional Access Point Services that assist individuals with substance use disorders obtain services, by increasing the

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price by \$419,924 from \$2,098,587 to \$2,518,511 and by changing the completion date from June 30, 2018 to December 31, 2018. 79.16% Federal, 13.55% General, 7.29% Other Funds. Unanimous.

OFFICE OF STRATEGIC INITIATIVES

#65 Authorize to enter into a sole source contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving weatherization services, in the amount of \$185,302. (2) Further authorize to advance the vendor \$31,687. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds (US DHHS/LIHEAP). Unanimous.

#67 Authorize to enter into a sole source contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, to supplement the Agency's Weatherization Assistance Program, in the amount of \$117,919. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds (LIHEAP-US DHHS). Unanimous.

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#96 Authorize to enter into a sole source lease amendment with HKH Associates Inc., Concord, NH (originally approved by G&C on 6-19-13, item #48), for approximately 4,100 square feet of curation and archaeological lab space, Concord, NH, by extending the lease end date to June 30, 2021 from June 30, 2018, and by increasing the total lease payment by 2% or \$656 in the first year with a nominal 3% increase in years 2 and 3 of \$984 and \$1,025 respectively. The total lease cost will increase from the original 5 year lease amount of \$161,539.80 to \$263,424.80 for a total increase of \$101,885 for the 3 year extension. 100% General Funds. Unanimous.

DEPARTMENT OF EDUCATION

#123 Authorize to exercise a renewal option on a sole source basis with the NH Coalition for Citizens with Disabilities Inc., d/b/a Parent Information Center of Concord, NH (originally approved by G&C on 8-3-16, item #65), to expand the implementation of NH's State Systemic Improvement Plan, by increasing the price by \$386,907.84 from \$406,267.44 to \$793,175.28, and by extending the end date from June 30, 2018 to June 30, 2019. 100% Federal Funds. Unanimous.

Region 3-Strafford County

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Developmental Services

#22A Authorize to enter into a sole source agreement with the University of NH/Institute of Disability, Durham, NH, to provide technical assistance,

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education and training that promote best practice in-services provided to individuals with developmental disabilities, acquired brain disorders and individuals served by the community based developmental services system, through community services and the Department in an amount not to exceed \$364,666. Effective July 1, 2018 or upon G&C approval, whichever is later, through June 30, 2020. 100% General Funds. Unanimous.

Division of Public Health Services

#26 Authorize to enter into a sole source agreement with the University of NH, Office of Sponsored Research, Durham, NH, to provide epidemiological expertise to the Department, in an amount not to exceed \$510,000. Effective July 1, 2018 or upon G&C approval, whichever is later, through June 30, 2021. 57% Federal, 43% General Funds. Unanimous.

#27C Authorize to enter into an agreement with Strafford Nutrition/Meals on Wheels, Somersworth, NH, to implement a sodium reduction and healthy eating project to improve nutrition in congregate and home delivered meal sites, in an amount not to exceed \$15,000. Effective upon G&C approval through June 30, 2018. 100% Federal Funds. Unanimous.

Human Services and Behavioral Health

#44C Authorize the Division for Children, Youth and Families to enter into a sole source agreement with the University of NH, Durham, NH, for educational tuition partnership that will provide educational opportunities in the field of social work to qualified current and future employees, in an amount not to exceed \$301,652. Effective July 1, 2018 through June 30, 2020. 100% Federal Funds. Unanimous.

DEPARTMENT OF TRANSPORTATION

#47 Authorize the Bureau of Construction to enter into a contract amendment with Severino Trucking Co Inc., Candia, NH (originally approved by G&C on 8-24-16, item #33), for reconstructing the Spaulding Turnpike (NH Route 16) in Newington and Dover, by increasing the amount by \$2,150,000 from \$67,142,015.35 to \$69,292,015.35. Effective upon G&C approval through October 2, 2020. 57% Turnpike, 43% Other (Local) Funds. Unanimous.

#55 Authorize the Bureau of Rail & Transit to enter into a contract amendment with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH (originally approved by G&C on 6-7-17, item #37), for coordinated transportation services for seniors and individuals with disabilities in Belknap and Merrimack Counties and procurement of capital equipment, by increasing the amount by \$106,835 from \$1,337,487 to \$1,444,322. Effective upon G&C approval or July 1, 2018, whichever is later, through June 30, 2019. 100% Federal Funds. Unanimous.

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OFFICE OF STRATEGIC INITIATIVES

#69 Authorize to enter into a sole source contract with Community Action Partnership of Strafford County, Dover, NH, to supplement the Agency's Weatherization Assistance Program, in the amount of \$60,230. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds (LIHEAP-US DHHS). Unanimous.

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#76 Authorize the Division of Regulatory Services to enter into a sole source Cooperative Project Agreement with the University of NH Cooperative Extension, Durham, NH, for the purpose of providing for an educated and informed community that will result in knowledge of and compliance with the Food and Drug Administration Food Safety Modernization Act Produce Safety Rule year 3-5 in an amount not to exceed \$178,463. Effective July 1, 2018, or upon G&C approval, whichever is later, through June 30, 2021. 100% Federal Funds. Unanimous.

DEPARTMENT OF ENVIRONMENTAL SERVICES

#115 Authorize to enter into a sole source agreement with the University of NH, Durham, NH, to support the Piscataqua Region Monitoring Collaborative project, in the amount of \$87,333. Effective upon G&C approval through December 31, 2019. 17% Federal, 57% Clean Water State Revolving Funds, 26% General Funds. Unanimous.

DEPARTMENT OF EDUCATION

#129 Authorize to enter into a sole source contract with Seymour Osman Community Center, Dover, NH, to offer extended day programming for youth and their families, in the amount of \$86,125. Effective July 1, 2018 through June 30, 2019. 100% Federal Funds. Unanimous.