

MINUTES
Cheshire County Commissioners Meeting
Wednesday, September 28, 2022, 2022
County Hall Building
12 Court Street, Keene, NH 03431
This meeting was conducted in person and
electronically via Zoom

Conference Call Information
Phone Call-in Number: +1 646 558 8656
Meeting ID: 409 748 8803
Pin #: 6031233

Present: Commissioners Jack Wozmak, Robert Englund (Via Zoom), and Terry Clark
Staff: County Administrator Coates, Finance Director Trombly, and Assistant County Administrator Bouchard
Guest(s): Henry Herndon, Herndon Enterprises, Consultant to Community Power Coalition of New Hampshire CPCNH.

I. Public Comments

Upon recognition from the Chair, a Public Comment on topics of interest may be made, not to exceed three (3) minutes in length.

II. Elected Officials & Department Head Updates

To receive, as informational, departmental updates requiring Commissioner review, participation, approval, and impactful departmental and operational issues.

III. Scheduled Items

Master Agenda Item #1022: County Electrical Aggregation Plan - Public Hearing #2
Action Expected: To hold a public meeting on the introduction of the proposed County Electrical Aggregation Plan.

Public Hearing: Cheshire Community Power Electric Aggregation Plan

Board of Commissioners Chair Wozmak opened the public hearing to discuss the Cheshire Community Power Electric Aggregation Plan that the Electric Aggregation Committee has drafted with support from the Community Power Coalition of New Hampshire.

And the following information was received. Cheshire Community Power Electric Aggregation Plan

The Cheshire County Commissioners will hold two public hearings on Wednesday, September 21, and Wednesday, September 28, 2022, beginning at 8:30 a.m. Members of the public can join online at www.zoom.us/join and use the Meeting ID: 409 748 8803 and Pin: 6031233, or use the Zoom call-in number at +1 (646) 558-8656 to participate. The purpose of the Public Hearings is to present the draft Electric Aggregation Plan, inform the Cheshire County Select Boards and City Councils about the opportunity to participate in Cheshire Community Power, and receive public comment.

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Cheshire Community Power is a developing program that will allow the County to provide energy supply and related services on behalf of County Facilities, residents, businesses, and municipalities that wish to join. The program will create an economy of scale in power procurement and, through participation in the statewide Coalition, offer a scope of services that can result in more affordable electricity and expanded options for renewables and innovative energy technologies.

Cheshire Community Power will be self-funded through revenues associated with the program's electricity supply sales. Aside from incidental costs of developing the program, such as staff time, no taxpayer funds are used to fund the program, and there is no cost to participate for any Cheshire city or town.

Those interested are invited to attend and comment. Please contact the Cheshire County Commissioner's Office at (603) 352-8215 or via Relay NH at 1-800-735-2964 in advance if you have a disability or need assistance to attend or participate in the hearing. Anyone wishing to submit written comments before the hearing should address them to the Cheshire County Commissioners, 12 Court Street, Keene, NH 03431, or email rbouchard@co.cheshire.nh.us.

Commissioner Clark provided the following introduction to the discussion.

The Cheshire County government uses much electricity.

We run the Department of Corrections, a stand-alone facility that operates 24/7.

We also run Maplewood Nursing Home, also a 24/7, stand-alone facility.

We have an annex that houses the Registry of Deeds and other smaller offices.

We have a water treatment plant and a wastewater treatment plant. We lease a state superior court building and County Hall, home to the Sheriff's Department, County Attorney Department, Probate, and county administration offices, which we rely upon for critical public services.

Soon, we'll be opening a facility to house Cheshire Emergency Services in Swanzey - that facility is a little different in that it will operate using an enterprise fund - not relying upon property taxes, but still will benefit from these same energy savings.

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All of this has required up to 5 megawatts of electricity annually. Because of the energy conservation measures we've taken over the last years, that number is somewhat lower but still significant.

That's why we've joined twenty New Hampshire communities to form the Community Power Coalition of New Hampshire. With this partnership, Cheshire County will pay less per kilowatt hour for electricity than the default or standard rate. This will allow us to increase our buying power in the marketplace and lower our annual electricity bill even more than our energy conservation measures have allowed us.

With us today is Henry Herndon, a consultant for the Community Power Coalition of New Hampshire, who will explain, in detail, the intricacies of this program. We invite public comment and questions but ask that you wait until Mr. Herndon finishes his remarks.

The Chair then recognized Henry Herndon, Consultant to Community Power Coalition of New Hampshire, to address the program.

Herndon provided the following information.

This presentation will be an overview of what Cheshire Community Power is, what it means for Cheshire County facilities and residents, businesses, or cities and towns that choose to participate, and why it is a good thing for the community.

The agenda will cover:

1. What is Community Power?
2. Electric Aggregation Plan
3. Community Power Coalition of New Hampshire
4. Timeline for Cheshire Community Power
5. Questions & Discussion

What is Community Power?

Community Power programs pool, or aggregate, the demand of customers in a community and purchase electric power on behalf of that community to lower costs and expand **access to renewable energy** and other innovations. Community Power programs are enabled by New Hampshire's updated Community Power law [RSA 53-E, Relative to Aggregation of Electric Customers by Municipalities & Counties](#) (enacted as the first in

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the nation in 1996 and updated in 2019 and 2021). The Legislature's intent in enacting RSA 53-E was to "*encourage voluntary, cost-effective and innovative solutions to local needs with careful consideration of local conditions and opportunities.*"

Cheshire Community Power is a public program under RSA 53-E that will supply electricity to the County's facilities and other participating retail electric customers within the County that join the program over time. If the County Delegation approves this Electric Aggregation Plan:

- Cheshire Community Power, once operational, will be required to be self-funded through revenues received by participating customers;
- The Commissioners will be authorized to contract for the necessary services and power supplies to implement and operate the program and will set rates on behalf of any participating customers; and
- Eversource, Liberty Utilities, and the New Hampshire Electric Cooperative will continue to own and operate their respective local distribution systems in the County and deliver electricity to all customers supplied by Cheshire Community Power.

At the Commissioners' direction, Cheshire Community Power may also offer competitive service to any residents, businesses, and other entities within the County who voluntarily request to participate in the program on an "opt-in" customer choice basis.

RSA 53-E alternatively allows municipalities and counties to provide default electricity service on an "opt-out" basis. This program transfers all customers on utility default service to Community Power default service. Customers are mailed notifications before enrollment, may decline to participate, and may choose to switch back to the utility or to take service from a Competitive Electric Power Supplier at any point after that.

Cheshire Community Power will launch as an "**opt-in**" program to supply electricity to county facilities. Any customer within Cheshire County (residential, business, municipal) may voluntarily opt-in to receive their electricity supply from Cheshire Community Power and benefit from pooled purchasing power. The County intends to encourage and support municipalities in forming Community Power programs that operate on an opt-out basis. Cheshire Community Power also may offer service on an opt-out basis directly for municipalities that do not establish their own Community Power program and that request, by a majority vote of their respective governing bodies, to participate in Cheshire Community Power.

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Cheshire Community Power will only affect the supply portion of the electric bills of participating customers. Utilities will continue to be responsible for the delivery portion. Utilities will continue to maintain the poles and wires, and other infrastructure. The difference under Community Power is that communities gain local control and economies of scale over the supply portion of the bill through Cheshire Community Power instead of the utility default (or another Competitive Supplier).

For cities and towns within the County that choose to join by a vote of their governing body, Cheshire Community Power may offer “default electricity supply” for residents, businesses, and other electric accounts that currently receive default electricity supply from the utility company. Participation in Community Power is completely voluntary, and participating customers may opt out at any time. Customers on competitive supply contracts may opt-in to Cheshire Community Power, but their existing supply contracts will remain unaffected.

The Electric Aggregation Plan

The County Delegation established an Electric Aggregation Committee pursuant to RSA 53-E and tasked the Committee with preparing an Electric Aggregation Plan (EAP). The EAP explains how our Community Power program will operate and is available for public review. The County is seeking public input into its Plan.

The Electric Aggregation Plan defines the program goals and objectives, defines governance, summarizes the implementation process, and commits the County to comply with applicable statutes and regulations such as (a) Providing universal access, reliability, and equitable treatment of all classes of customers; and (b) Meeting, at a minimum, the basic environmental and service standards established by the Public Utilities Commission and other applicable agencies and laws and rules.

The Plan addresses details of how Net Metering will be provided to customer-generators and how customers enrolled in the Electric Assistance Program will receive their discount.

The Plan does not commit the County to any defined course of action, nor does it impose any financial commitment or liability on Cheshire County.

The Plan is organized into Chapters that include: (1) Introduction to Community Power; (2) Overview of Cheshire Community Power; (3) Community Power Coalition of New

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Hampshire; (4) County Goals and Objectives; and (5) Statutory Requirements for Cheshire’s Plan. The Plan also includes appendices with further detail. Once Cheshire Community Power goes live, the County anticipates being able to offer rates that are lower than Eversource supply rates. For towns that choose to join and participate in the program, there will be a customer notification and enrollment process:

- At least **30 days before enrolling customers, all electric customers within participating towns will be mailed notifications** that will include the initial fixed rate for Cheshire Community Power service compared with the utility rates;
- Customers currently on default energy service provided by utilities will be **able to decline participation or “opt-out”** of Cheshire Community Power by a return postcard, online, or by calling a customer service number.
- If a **customer is already getting their power from a competitive supplier**, nothing will change unless they choose to switch and **“opt-in”** to Cheshire Community Power.
- New utility customers will get similar opt-out notices.
- All Cheshire Community Power default service customers will always be able to know the fixed rate at least 30 days in advance and be able to switch suppliers at the next meter read upon request with **no penalty or exit fee**.

The chart below provides an example of the customer rates and optional products that could be offered through the program:

	Default Service (automatic enrollment)	Optional Products		
		Basic Service (opt-down)	Green Start (opt-up +)	Prime (opt-up +)
Attributes	5-10% above Renewable Portfolio Standard (RPS)	Meets Renewable Portfolio Standard	~50% Renewable	100% Renewable
Price	Meet or beat default utility rate at launch	Below default utility rates	Higher or competitive w/ default utility rate	Exceeds default utility rate

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The Renewable Portfolio Standard (RPS) is a New Hampshire state policy setting a minimum requirement for renewable energy to be provided to customers. The RPS requirement for 2023 is 23.4%.

Community Power Coalition of New Hampshire

Community Power Coalition of New Hampshire (the Coalition) is a newly formed public power agency governed by member municipalities and counties and operated on a not-for-profit basis. Cheshire County is a founding member of the Coalition, and Commissioner Terry Clark and Administrator Christopher Coates sit on its governance board for oversight.

The Coalition provides Pooled competitive procurement and economies of scale; Shared expert staff servicing all Members; Risk management of a portfolio of power supply contracts; Retail customer services; Opportunities for new projects and services; Joint public advocacy to improve state energy policy. CPCNH is designed to insulate member communities and their taxpayers from the financial and legal liabilities of the Coalition and its services while being accountable to locally elected bodies.

There are currently one county and 19 municipal members of the Coalition, representing ~190,000 customers, ~960,000 megawatt-hours per year, and more than \$150 million in annual energy supply revenues. Its members control revenues associated with the sale of electricity through the Coalition. The Coalition empowers communities to develop local renewable and energy storage projects and better control energy costs. The Coalition aims to launch service for an initial 12 Members in the spring of 2023.

Energy supply charges primarily cover the cost of energy and related charges. A portion of the energy supply charge covers the costs of operating and financing the program. Additional net revenues will accrue to a reserve fund overseen by Cheshire County and the other Members. The reserve fund ensures long-term rate stability and enables future investments into energy projects. Under a traditional brokered power contract with a private competitive energy supplier, the reserve fund would represent the profit accrued by a private competitive energy supplier. Community Power Coalition of New Hampshire enables Cheshire Community Power to control that surplus revenue.

Each Member of the Coalition has appointed a Director and an Alternate to the Board to oversee its formation, governance, and operations. Cheshire County, with the assistance

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of the Electric Aggregation Committee, will contract for operational services. The Electric Aggregation Plan assumes but **does not require** Cheshire to participate in the Coalition services alongside other Member communities. By joining the Coalition, Cheshire County has accessed the other Coalition communities' expertise, resources, and legislative advocacy.

Timeline for Cheshire Community Power

Cheshire County began exploring Community Power in late 2019. The County supported the formation of the Coalition by participating in an “Organizing Group” of cities and towns that researched best practices and enlisted professional services to design and incorporate the agency. The County’s Electric Aggregation Committee has since drafted the Electric Aggregation Plan and is now holding public hearings as per RSA 53-E. Following the hearings, and after incorporating public input, the County Delegation will vote on a resolution to adopt the Electric Aggregation Plan, possibly in December this year.

Once the Electric Aggregation Plan is adopted, it will be submitted to the Public Utilities Commission (PUC), other state agencies, and the electric utility companies for review. The PUC will have 60 days to review and approve the Plan. The County will select a service provider and commence service on an opt-in basis for County facilities. Cheshire County will consider and approve such participation for Cheshire cities and towns that elect to participate in the program by a vote of their governing body. Customer notifications will be mailed within participating communities, additional public hearings will be held to inform the public and answer questions, and Cheshire Community Power will commence as the new default energy supply service within participating cities and towns.

That concludes the presentation on Cheshire Community Power and the Electric Aggregation Plan.

An in-depth discussion on many of the presentation elements was had, and some challenges, opportunities and implementation timelines were covered.

Chair Wozmak opened the floor to public comments and questions about Cheshire Community Power and the Electric Aggregation Plan. No public comments were received.

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The Chair then closed the Cheshire Community Power and the Electric Aggregation Plan public hearing. The Chair then asked if a motion to adopt the Electric Aggregation Plan was to be made.

In the previous September 21st, Commissioner's meeting, Commissioner Englund moved to adopt the Electric Aggregation Plan and vote to authorize County Administrator Christopher Coates, with advisory support from the Electric Aggregation Committee, to contract for the services necessary to launch and operate the program, which Commissioner Clark seconded. Upon roll call vote, the motion passed unanimously.

Supporting documentation for the County Electrical Aggregation Plan can be found here: [Cheshire Electric Aggregation Plan - Public Hearing - September 28, 2022, at 8:30 AM - Cheshire County](#)

Master Agenda Item #1023: Motorola Contract Cost Escalation – C. Coates and S. Barnsley

Action Expected: Review and discuss the contract cost escalation for the Sheriff's Radio Upgrade project.

Coates reviewed the funding efforts for the funding of the Sheriff's Radio Upgrade project and said that due to the inability of Northern Borders grant funding, they could not fund the project in a timely manner, and other funding will need to be found. Notice to Proceed needs to be completed, and the date of October 1st cannot be met as this date. A discussion of how the project could be implemented in phases to meet funding and project implementation requirements could be met. The implementation by Motorola past the October 1st date will result in at least a \$400K increase. If the implementation date is after the first of the year, it will result in a \$600K increase due to the escalation of equipment costs to and by Motorola.

Master Agenda Item #1024: Human Resources - Semi-Annual Report - K. May provided the following semi-annual report on the operation of the HR department.

Human Resources Activity 4/01/2022 – 9/30/2022

Total Hires: 79

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Keene - 16

County Attorney – 1 (Administrative Assistant)
EMS – 1 (Chief)
Grants Program – 1 (Grants Assistant)
Drug Court – 2 (Recovery Coach & Case Manager)
Sheriff's Office – 4 (2 Dispatch, 2 Deputies)
Connected Families – 7 (Care Coordinator)

Department of Corrections - 26

Corrections Officers – 21 (5 of these left prior to 6 months)
Nurse – 2
Cook – 2
Case Manager - 1

Maplewood - 37

Receptionist – 2
Assisted Living – 1 (Personal Care Attendant)
Dietary – 7 (11 Dietary Aides)
EVS – 8 (Housekeeping Aides) 2 left prior to completing 6 months
Nursing – 17 (12 Ward Aides, 7 LNAs) 3 Ward Aides & 3 LNAs left prior to completing 6 months

Total Terms: 54

Keene - 9

County Attorney - 1 (Administrative Assistant)
Drug Court – 2 (Case Manager & Recovery Coach)
Finance – 2 (2 Finance Assistants)
Sheriff's Office – 2 (2 Deputies)
Connected Families – 2 (2 Care Coordinators)

Department of Corrections - 16

Corrections Officers – 12
Nurse – 1
Cook – 2
Case Manager - 1

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Maplewood - 28

Administration – 1 (Receptionist)
Dietary – 4 (4 Dietary Aides)
EVS – 5 (3 Housekeeping Aide, 2 Laundry Aide)
Nursing – 16 (3 Ward Aides, 12 LNAs, 1 Nurse)
Rehab – 1 (1 PTA/COTA)

- Some of the reasons for resignations are as follows:
 - Unable to return after medical leave
 - Realized work is not for them
 - Terminated due to attendance issues
 - Terminated due to behavior
 - Moved out of area
 - Per diem w/no availability to pick up hours
 - Retired

- Maplewood was able to hold an LNA class that began on September 13. We have 5 current employees in this class with 4 additional staff waiting for the next class. We have modified our contract language with LNA Health Careers to make it more viable to have smaller classes.
- Hiring continues to be challenging at Maplewood however staffing at the DOC seems to have stabilized. We have currently pulled all ads for nursing and Corrections Officers at the jail.
- We are currently offering a \$2,000 sign-on bonus at Maplewood for any LNA, nurse or Housekeeper hired. This is paid out as follows: \$500 at 3 months, \$500 at 6 months, and \$1,000 at 1 year for a 40-hour/week employee - prorated for part-time.
- We continue using more agency/traveler staff than we ever have at Maplewood.
- We are currently working with Monadnock Broadcast Group/Saga Communications to develop a digital marketing campaign that will target a broader more appropriate audience.

Following May's report, an extended discussion was had concerning advertising, hiring staff numbers, retention, and training.

Master Agenda Item #1025: Opening of Finance Audit RFPs - S. Trombly

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Trombly said that only two responses were received, and one of the responses from Plodzik and Sanderson, P. A. was a letter that stated they decided to decline to bid; Vachon Clukay & Co PC, the current auditor, was the only firm to submit a bid.

Following questions and review, Commissioner Wozmak moved to accept the bid from Vachon and Clukay and was seconded by Commissioner Clark contingent upon confirmation by the Director of Finance that the other two firms solicited chose not to submit a bid. Upon roll call vote, the motion passed unanimously.

Master Agenda Item #1026: Request for Sole Source of Delegation Hall Interior Work - C. Coates detailed a request for a sole sources contract for Griffin Construction to complete the interior work for the Delegation Hall Interior based on the expansion of the scope of work from the previously approved cupola and exterior work performed by the company.

Following discussions, Commissioner Wozmak moved to accept the project's expanded scope and to approve the single source request to complete the interior work in the building, and Commissioner Clark seconded the motion. Upon roll call vote, the motion passed unanimously.

IV. County Administrator

Weekly Operations Report - The County Administrator will update the Commissioners on activities that have taken place since the previous meeting. Coates was then recognized and provided the following information.

Coates discussed the upcoming NH Association of Counties in Portsmouth and said that because the program runs until Wednesday noon or later, he requested that the Commissioner's meeting for that day be canceled. After a brief conversation, the Commissioners agreed, and a cancelation notice for the meeting on October 5th will be sent out.

Coates then informed the Commissioners that a Westmoreland resident had proposed the construction of a four (4) MW wind turbine with a hydrogen generator project on Route 63 property that backs up onto the County farmland on Partridge Brook Road. He said that he and Bouchard have met with the person and have expressed interest in knowing more about the project's goals and said that it is possible that the nursing home could be fed behind the meter from a three (3) phase line already present on Partridge Brook. The

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interest in making this connection would be to improve reliability at a potentially lower cost than current power purchase contracts allow. He said that much more investigation and work needs to be done on the project, including receiving permission from the town for the installation.

Coates said that a renewal contract with Municipal Resources Inc (MRI) to support the needs of the EMS department is underway, and it would focus primarily on technical issues of implementation from this point forward.

Coates then stated that the Hundred Night bus would arrive at the County Latchis parking lot on November 1st and this will be the last year. He said that in subsequent years the bus would be located at their new facility in Keene.

Coates said he had received great praise from several sources for supporting the Radical Rural events this year with a grant awarded from the American Rescue Plan Act (ARPA) funds.

He then said that the audio-video upgrade installation for Delegation Hall will now occur in January 2023 instead of this year as originally planned due to supply chain issues.

Coates said that the Sununu Center for Youth in Manchester is scheduled to be closed in early 2023, and all of the Counties in the state have been asked if they are interested in taking over the functions of the existing center. One of the options being explored is the expansion of County jails to house these juveniles, and almost no one thinks that is a good idea from a therapeutic or financial aspect. He said that the children in the Sununu Center need schooling, therapeutic medical support, and housing, not punishment. A great deal of further discussion needs to take place, and a suitable solution needs to be found before May of 2023 when funding for Manchester ends.

V. Old Business

- VI. New Business** Trombly asked the Commissioners for signatures on the Tax Anticipated Note loan documents. They were signed by Commissioners Wozmak and Clark at the meeting.

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VII. Consent Agenda Items:

Vote to accept the Weekly Manifests for September 28 and the Minutes of September 21, 2022. **Commissioner Clark moved to accept the Consent Agenda items, and Commissioner Englund seconded the motion. Upon roll call vote, the motion passed unanimously.**

VIII. Calendar

Action Expected: To accept the calendar as informational and to make necessary changes/additions.

IX. General Discussion for Commissioners

Master Agenda Item #673: Commissioners - State Cost Shifting Letter and Restorative Justice Program

X. Nonpublic Sessions – None

XI. Adjournment

At 11:15 AM, there being no other public business, Commissioner Englund moved to adjourn the meeting and was seconded by Commissioner Clark. Upon roll call vote, the motion passed unanimously.

Recorded and edited by:
R. Bouchard
Assistant County Administrator

Reviewed and submitted by:
Terry Clark
Clerk, Board of Commissioners