

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

Legislative Office Building, Room 201

Concord, NH

Wednesday, September 5, 2018

**MEMBERS PRESENT:**

Rep. John Graham, Chair

Rep. John Cloutier

Rep. David Danielson

Rep Katherine Rogers (Alt.)

Sen. Robert "Bob" Giuda

Sen. Dan Feltes

Sen. Regina Birdsell

Sen. Bill Gannon

**ALSO PRESENT:** Mac Zellem

Budget Director, Office of the Governor

(The Committee meeting convened at 10:00 a.m.)

**(1) Acceptance of Minutes of the June 6, 2018 meeting.**

JOHN GRAHAM, State Representative, Hillsborough County, District #07 and Chairman: Time being 10 o'clock and Senators are all here, thank you, I'm going to call this meeting of the Long Range Planning and Utilization Committee to order. The first order of business is the acceptance of the minutes of our June 6<sup>th</sup> meeting.

**\*\* DAN FELTES, State Senator, Senate District #15:** I'll move.

CHAIRMAN GRAHAM: Been moved.

MAC ZELLEM, Budget Director, Office of the Governor:  
Second.

CHAIRMAN GRAHAM: Seconded that we approve the minutes, Feltes and Mac.

MR. ZELLEM: Zellem.

JOHN CLOUTIER, State Representative, Sullivan County, District #10: Okay. Thank you.

CHAIRMAN GRAHAM: Any discussion? If not, all those in favor, signify by saying aye? Opposed nay? The ayes have it and the minutes are accepted.

**\*\*\* (MOTION ADOPTED)**

**(2) Old Business:**

**(3) New Business:**

CHAIRMAN GRAHAM: We have several on the items. When we finish with what DOT has that we do have a presentation that deals with the Sununu Center. That has been distributed in front of everybody, I hope, and that -- we will hear from that and then decide how we proceed with that item.

But first we'll go through what is on our agenda, Disposal of Highway or Turnpike Funded Real Estate, and would ask the Department to come up and go through the items that they have.

And the first item is LRCP 18-028, request authorization to sell a parcel of State-owned New Hampshire Route 28 Control Accessed Right-of-Way at the corner of Route 28 and Rockingham Boulevard in the Town of Salem. Go.

CHUCK SCHMIDT, Transportation Bureau Administrator, Bureau of Project Management, Department of Transportation: Yeah, it's a small piece right on the intersection, 1.53 acres. We're requesting to authorize to sell it to the abutter for \$50,000 plus an \$1,100 administrative fee.

CHAIRMAN GRAHAM: I do have one question. Reading through the material it talked about keeping a small strip for rail right-of-way or trail, whichever we end up doing.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

Is that still part of the process?

MR. SCHMIDT: Yes.

CHAIRMAN GRAHAM: What is the pleasure of the Committee on this item?

**\*\*** ROBERT "BOB" GIUDA, State Senator, Senate District #02:  
Move the item.

REGINA BIRDSELL, State Senator, Senate District #19:  
Second.

CHAIRMAN GRAHAM: Moved by Senator Giuda, seconded by Senator Birdsell. Is there any discussion?

DAVID DANIELSON, State Representative, Hillsborough County, District #07: Chairman. Thank you. I'm going to assume, and I don't want to assume so I'll ask the question. This has been appraised and it looks everybody is comfortable with the appraisal?

MR. SCHMIDT: Correct.

PHILLIP MILES, Supervisor III, Bureau of Project Management, Department of Transportation: Yes.

REP. DANIELSON: Thank you, Chair.

CHAIRMAN GRAHAM: Seeing no further discussion, all those in favor of approving Item 18-028, signify by saying aye? Opposed nay? The ayes have it. The item is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: Second item is LRCP 18-029, request authorization to sell 0.3 plus or minus acre of parcel of State-owned land located on the southerly side of New Hampshire Route 9 in the Town of Chesterfield.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

MR. SCHMIDT: This is an area that the owner actually uses as his driveway. It's a Class VI road that we built back I believe it was in the '80s, and it dead ends pretty much at his property line. However, on paper it extends to the next property. So we'll need sign off from that other abutter that they don't have a need for it. My understanding is that's -- they're willing to do that.

What this will do is it will allow him to get in and maintain his driveway basically. He's hesitant to put money into it until that time; but, also, he wants to build a garage next to his house and this will help with the building setbacks.

CHAIRMAN GRAHAM: Any questions?

**\*\*** SEN. BIRDSELL: Move to approve.

CHAIRMAN GRAHAM: Senator Birdsell moves to approve the item.

SEN. FELTES: Second.

SEN. GIUDA: Second.

CHAIRMAN GRAHAM: Seconded by Senator Feltes. The House can do things, you know. All those in favor of approving Item 18-029, signify by saying aye? Opposed nay? The ayes have it and the item is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: Next item LRCP 18-030, request authorization to sell 0.52 plus or minus acre parcel of State-owned land located on the southerly side of New Hampshire Route 123 in the Town of Alstead.

MR. SCHMIDT: Yeah, this is a small piece of property. It's a sliver, a small triangular piece. We'll be maintaining two

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

drainage easements and some slope easements over it. And, again, there's not an abutter so we would -- there's not a -- more than one abutter and there's no access. So we would propose selling this direct to the -- to the abutter, to the one that there is. Excuse me.

CHAIRMAN GRAHAM: Any questions of the Department?

**\*\*** SEN. BIRDSELL: Move to approve.

CHAIRMAN GRAHAM: Senator Birdsell moves to approve.

REP. CLOUTIER: I'll second that motion.

CHAIRMAN GRAHAM: Representative Cloutier seconds the motion. Any discussion on the motion? Seeing none. All those in favor approving 18-030 signify by saying aye? Opposed nay? The ayes have it, and the item is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: LRCP 18-031, Department of Transportation, request authorization to sell a 1.7 plus or minus acre parcel of State-owned land located on the southerly side of Route 101 in the Town of Hampton.

MR. SCHMIDT: Yep. This piece of property is back property. Again, it won't be given any access to any roads. There are, I believe, four -- three or four abutters who potentially could bid on it. One of them has come forward and requested it, and that's why we're proposing the seal bid because of the abutters.

CHAIRMAN GRAHAM: Okay. And I do have a question. How come the differential between 2008 and 2018? We -- we -- unless you're also counting the next item in the total prices, we went through this ten years ago.

MR. SCHMIDT: Yep.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

CHAIRMAN GRAHAM: We didn't sell it. What changed since then?

MR. MILES: In 2008 when we -- when we first came to the Committee, Cassie Lane wasn't -- wasn't there yet. Those lots weren't developed, and the hope was that the developer at the time would buy those two properties and incorporate it into their proposal.

CHAIRMAN GRAHAM: Okay.

MR. MILES: They did not. And now some of the abutters there are interested in buying our parcels as back land.

CHAIRMAN GRAHAM: Okay. Any other questions? What's the pleasure?

**\*\*** REP. DANIELSON: Move approval.

REP. CLOUTIER: I'll second that motion.

CHAIRMAN GRAHAM: Representative Danielson moved and Representative Cloutier seconded. Any discussion on the item? Seeing none. All those in favor of approval of 18-031, signify by saying aye? Opposed nay? The item is approved.

**\*\*\*** {MOTION ADOPTED}

CHAIRMAN GRAHAM: Item LRCP 18-032, request authorization to sell a 3.5 plus or minus acre parcel of State-owned land located on the southerly side of NH Route 101 in the Town of Hampton, which is the other piece of this same property.

MR. SCHMIDT: Right. Same scenario. It's back land. No access will be granted. We have had interest from abutters in acquiring it and not the other piece. So we didn't want to separate out or minimize the bidders. So that's why they're broken out.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

CHAIRMAN GRAHAM: Okay. Any further --

REP. DANIELSON: Thank you, Chairman.

CHAIRMAN GRAHAM: Representative.

REP. DANIELSON: I'm just curious about the lot 014-008-000. Who owns that or what's the interest in that?

MR. MILES: They're the interested -- they're the ones that requested it initially as back land to their property.

MR. SCHMIDT: Right.

REP. DANIELSON: Okay. The purpose of development?

MR. MILES: Hum -- they haven't said.

REP. DANIELSON: Thank you, Chair.

CHAIRMAN GRAHAM: Any other?

**\*\*** SEN. BIRDELL: Move to approve.

CHAIRMAN GRAHAM: Senator Birdsell moves to approve.

SEN. GIUDA: Second.

CHAIRMAN GRAHAM: Seconded by Senator Giuda. Any further discussion? Seeing none. All those in favor of approval of 18-032, signify by saying aye? Opposed nay? The ayes have it, and the item is approved.

**\*\*\*** **{MOTION ADOPTED}**

CHAIRMAN GRAHAM: Item 18-033, request authorization to sell 0.19 plus or minus acre parcel of State-owned land located on the southwesterly corner of NH Route 111 and NH Route 28 in the Town of Windham.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

MR. SCHMIDT: Yep. This is a very small piece as well. It's right at the intersection. No access will be granted. And basically there's that one abutter.

CHAIRMAN GRAHAM: And any questions of the Department? What is the pleasure of the Committee?

**\*\*** REP. BIRDSELL: Move to approve.

SEN. GIUDA: Second.

CHAIRMAN GRAHAM: Senator Birdsell moves to approve. Senator Giuda moved.

SEN. BIRDSELL: My town.

CHAIRMAN GRAHAM: I know. That's why I didn't say anything. Seconded by Senator Giuda. Any further discussion? Seeing none. All those in favor, signify by saying aye? Opposed nay? The ayes have it, and the item is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: Item 18-034, request authorization to transfer 0.30 plus or minus acre of permanent waterline easement over a parcel of State-owned land located on the westerly side of NH Route 16 in Errol to Balsam View, LLC.

MR. SCHMIDT: This is basically the same or very similar to the request that we've come before you earlier, except for the -- the property that we're receiving has been expanded.

CHAIRMAN GRAHAM: Any questions of -- what is the pleasure of the Committee?

**\*\*** SEN. GIUDA: Move it.

SEN. BIRDSELL: Second.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**



CHAIRMAN GRAHAM: Senator Giuda moves, Senator Birdsell seconds that we approve Item 18-034. Any further discussion? Seeing none. All those in favor, signify by saying aye? Opposed nay? The ayes have it and the item is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: Item LRCP 18-035, request authorization to sell 3.9 plus or minus acre parcel of State-owned land improved with a building located on the northerly side of U.S. Route 2 in the Town of Shelburne to Timberland Associates -- Adventures, excuse me, Incorporated.

MR. SCHMIDT: Yep. This is the Shelburne Rest Area.

CHAIRMAN GRAHAM: Yeah.

MR. SCHMIDT: We were maintaining a strip in the front for possible weigh station by others. And this abutter has come forward and expressed interest in it. So that's why we wanted to move it ahead. Looking at all of the rest areas but this one in particular we know we won't need.

CHAIRMAN GRAHAM: Who's going to close the whole thing out, the whole rest area? Is it filled in already and all the rest?

MR. SCHMIDT: No. It's a combination that the structure I think he'll maintain to some degree. The curbing and so on and some of the drainage we're going to go in and remove so we can salvage it.

CHAIRMAN GRAHAM: Senator Feltes.

SEN. FELTES: Thank you very much, Mr. Chairman. Has the -- I don't know the answer to this. Has the full Legislature, has there been planning about rest areas and has this been concluded by the full Legislature to be a rest area that we are not going to be using in the future?

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

MR. SCHMIDT: Right.

SEN. FELTES: The State's not going to run?

MR. SCHMIDT: Yeah.

SEN. FELTES: And, if so, what's the -- where is that conclusion and sort of planning documents?

MR. SCHMIDT: Sure. My understanding it was taken out by the Legislature roughly ten years ago and the study was under way. I may be a little off on my time frame. And this was -- this and a couple of the other ones were deemed that acceptable to close and the State closed.

SEN. FELTES: Follow-up.

CHAIRMAN GRAHAM: Follow-up.

SEN. FELTES: The reason I'm asking this is because, you know, we're one subcommittee and, obviously, what happens with the rest areas probably should be a broader discussion with the full Legislature. So is there a report or something that you can point to or provide the Committee that compiled the conclusion by the Legislature that this would be a rest area that we're done with?

MR. SCHMIDT: Phil. Are you aware of it?

MR. MILES: I'm not aware.

WILLIAM CASS, Assistant Commissioner, Department of Transportation: I can speak to it.

MR. SCHMIDT: Yeah.

MR. CASS: Sorry, I came late. Bill Cass, Assistant Commissioner with the DOT. The action here is Shelburne is a

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

result of a long-time study of the rest areas. There was a comprehensive study of all the rest areas done in 2014, 2015. It was published. A number of the recommendations included that these four rest -- the four rest areas that were closed should be remained closed. That was Shelburne, Rumney.

MR. SCHMIDT: Epsom.

MR. CASS: Epsom. And -- um --

MR. MILES: Antrim.

MR. CASS: Antrim is the fourth one. The study had various recommendations for those. One of the -- and, you know, so as far as, you know, the rest area study report was provided to the Legislature. I know it was debated at several meetings. There was no formal finding from the Legislature. As Chuck said, there were several pieces of legislation where proponents of that area had tried to come forward to solicit funding to reopen or redo the Shelburne Rest Area and they were -- fell on deaf ears. So Shelburne has been closed since 2012.

There has been no effort to really revive it. It's not in the budget anywhere. So after about a year and a half of the -- since the study completed, we are moving ahead with taking some actions on the recommendations from the study. Those recommendations included trying to repurpose and sell the Shelburne Rest Area, so.

SEN. FELTES: Thanks, Bill.

MR. CASS: Sure.

SEN. FELTES: Appreciate that. Well, I -- I guess I would defer to members of this Committee that, you know, Chair of Transportation and others and you, Mr. Chairman, about whether or not you feel like --

CHAIRMAN GRAHAM: And I'll answer because I've been here way too long. I was cognizant and I do know and I've seen the reports of the rest areas reports. I know we've seen pieces of legislation in Public Works that have come forward to either pay for, re -- actually rebuilding the whole Shelburne Rest Area, trying to do it either with public/private money, just public money, just private. There were several iterations and it was never a go for a cost-effectiveness and which is why we've tried to go the alternate route for other public/private entities doing things. And I know that there is a subcommittee working right now with DOT on all of these types of public/private things and some of them are rest areas that they're looking at. And that's an ongoing process and, you know, we can either approve this or not; but, personally, I think that we should.

REP. DANIELSON: Chairman, I believe the Senator's question though had to deal with has the Legislature as a whole accepted the report that was -- that the Commissioner referred to? I too have seen that report, but I'm unaware of any action by the Legislature.

CHAIRMAN GRAHAM: Silence is consent the way I kind of look at it. It's been presented to committees.

SEN. BIRDSELL: I think I -- it's been awhile, but I think we dealt with this in the 2015 or 2016. There was a list of rest areas that we were going to try and put forward and, if I recall, Shelburne was one of them that we couldn't -- we couldn't. And I don't remember whether that was under Senator Stiles or -- but I don't think -- I think it's true. I do think it did come in front of the -- as billed that it come in front of the Legislature and we always voted them down.

CHAIRMAN GRAHAM: Not the whole -- maybe not the entire report but the pieces, especially the one that dealt with the ones that we were going to close like Shelburne --

SEN. BIRDSELL: Right.

CHAIRMAN GRAHAM: -- have been in front of us.

REP. DANIELSON: Well, I guess we are faced with a couple of decisions. One, we can do this piecemeal --

SEN. FELTES: Right.

REP. DANIELSON: -- and address this as is. Because we don't have -- again, to your question, Senator, we don't have a consensus from the House or from the Senate as to whether what we want to do. But it's our Committee is now charged with this. We can decide whether or not we want to get rid of this, right, Chairman? Is that correct?

CHAIRMAN GRAHAM: Oh, yeah. I mean, we can kick the can down the road for another six or eight months. We can -- or we can turn it down totally or we can approve it. You know, those are kind of the options that we have at the moment. Because if you wait and say that the entire Legislature has to approve that, somebody has to file the bill. It's got to go through the whole process, so.

**\*\*** SEN. BIRDSSELL: I'm going to move to approve.

SEN. GIUDA: Second.

CHAIRMAN GRAHAM: Been moved by Senator Birdsell.

KATHERINE ROGERS, State Representative, Merrimack County, District #28: Mr. Chairman, one additional thing. I know that -- um -- I think it was as Senator Birdsell said in 2016 I recall in House Finance we did have a discussion about funding -- some additional funding. I do recall the Shelburne Area was talked about and there wasn't -- there was a decision at that point to not put funding into it. So that was not that entire legislative approval of the report; but that was action on funding for that particular area 'cause I do recall the discussion of that. So there was discussion at that point.

CHAIRMAN GRAHAM: Senator Birdsell has moved to approve; Senator Giuda has seconded. Any further discussion? If I missed you earlier, I apologize.

REP. ROGERS: No, that's okay. I just wanted to add that in.

MR. ZELLEM: I'm sorry, I do have a question.

CHAIRMAN GRAHAM: Go ahead.

MR. ZELLEM: On the historic preservation aspect of this, has the Department concluded or when does the Department anticipate concluding the analysis if the current structure qualifies for inclusion in the Register of Historic Places?

MR. SCHMIDT: We anticipate this portion of this study will be done in mid-September.

MR. ZELLEM: Okay.

CHAIRMAN GRAHAM: Any further discussion? Seeing none. All those in favor of approval of Item 18-035, signify by saying aye? Opposed nay? The ayes have it, and the item is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: And that is the last one on the official agenda. Thank you, DOT. We appreciate --

MR. SCHMIDT: Thank you.

CHAIRMAN GRAHAM: -- your presence. Now Late Item from Department of Health and Human Services, Item 18-036. If the Department could come up and explain this and explain why it's so late, I would be appreciative. And just for everybody when you're reading through this, you will note that nowhere in the documents does it talk about the vendor that they are working with. We will not ask that question, because it kicks the whole

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

process of bids and everything else out into the open before it's actually finalized, which kind of tells you the whole action isn't finalized at the moment. Commissioner.

JEFFREY MEYERS, Commissioner, Department of Health and Human Services: For the record, Jeff Meyers, Commissioner of Health and Human Services. With me today is Director of Facilities David Clapp.

Before you is an item that's marked as Late Item 18-036. It was provided by LBA this morning. It contains a four-year lease agreement that the Department is now finalizing, the process of finalizing with a vendor to operate a 36-bed inpatient drug treatment -- Substance Use Disorder Treatment Unit in one of the pods in the Sununu Center in Manchester.

In addition to the lease, there will be a service agreement that will be presented for approval to the Governor and Council. As Chairman Graham just noted, we're not identifying the vendor in accordance with State Procurement Law which dictates that those who receive contracts, which would include a service agreement that's approved by G & C, aren't identified until five days before the G & C meeting when they're submitted to the Secretary of State.

We are before you today not asking for an unconditional approval. We are asking for an approval that is contingent upon the submission of a finalized lease, signed lease. We are doing so because of the urgency that the Department feels, that the Governor feels, and that the Legislature has indicated in the statute that had passed requiring the Department to stand up this 36-bed unit at the Sununu Center. We could not go forward and do this. We could not go forward and undertake a procurement until we had secured a waiver from the Federal Centers for Medicare and Medicaid Services that would allow us to have Medicaid reimbursement for the bed -- for the services that are provided at the 36-bed unit. No vendor would agree to operate a unit without Medicaid reimbursement and that waiver was just obtained about four or five weeks ago, roughly.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

It took a fair amount of work. There was a long public process to it. We have approached this with a sense of urgency. We worked as quickly as we can. We know that it has not fit precisely within time frames of when meetings are scheduled. We understand that. And that's why we are seeking only a contingent approval today. My understanding is that this Committee has rendered those contingent approvals in the past on other items and so that's really all we're seeking.

You know, essentially what we're doing here is hiring a vendor under the terms of a service agreement that will be approved by the Governor and Council that will include a lease payment. And the lease payment will ensure that the pro-rated share of the operational costs, utilities, and so forth for this 36-bed unit which essentially is one of the four pods. If you think of the Sununu Center, it's 144 beds. It's divided essentially into four pods, each with 36 beds. So that lease payment will cover the overhead cost, if you will, of operating that 36-bed unit so that the State is not funding with General Funds the overhead cost for that unit, if you follow me.

We are far down the process. I think the process is going to be completed, you know, soon. I cannot give you an exact date, but we're working very hard. I anticipate, you know, bringing the service agreement to the Executive Council shortly in one of the upcoming couple of meetings. And then what we would propose is that we, at that time, the lease agreement will be part of the public package that the Council will see. But this Committee has to approve the lease. And so what we will do is submit the package as well to this Committee so that it is complete. It can be reviewed in some fashion. We've, obviously, ask for some sort of expedited review, because we -- I don't think we can legally operate the facility until this Committee approves the lease. So how that's done, whether that's done by phone, meeting or what not, we can talk about but that's essentially it.

David, you want to spend just a minute going through this?

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**



DAVID CLAPP, Department of Health and Human Services: Sure.

MR. MEYERS: Yeah.

MR. CLAPP: The location is what they call the H-Wing of the facility. It comprises of a little over 25,000 square feet. It has three levels of rooms that can be used for treatment purposes, residential, and so forth.

They will also have use of the gymnasium so they can have physical activity. That would be arranged through the facility director, and to make sure there is no interaction between the clients within the substance misuse unit and the rest of the facility.

There is also the grounds that are available for them as far as a baseball field, football field, and I believe there's a chip and putt area in the front.

MR. MEYERS: You know, standing this up also involved, you know, fairly significant physical changes to the facility. In order to separate the correctional side from the substance use disorder treatment side, we had to create a new entrance. We had to make changes to the parking lot. We had to stand up some internal walls and some other minor construction so that it is physically separated from the correctional side of the facility. That allowed the Federal Government to make those 36 beds Medicaid reimbursable. Thank you, Mr. Chairman. Appreciate the time.

CHAIRMAN GRAHAM: And I -- I'll get to you in one second. Just my personal feeling is I -- even on a contingency basis, I have a hard time somebody throwing a multi-page document in front of me and then saying just approve this even on a contingency basis. And I understand the urgency and the rest -- and we'll hear from the rest of the Committee and see how we want to work this. And I think we're all in agreement we

want to get it done, but it's how we get it done and making sure that everything is done correctly.

REP. ROGERS: Yeah, I have some concerns. As you know, Commissioner, we spent a lot of time in Finance Division III talking about the Sununu Center and a lot of different things, and I have questions about how does this interact with the Sununu Center as it exists? You talked about changes that's going to have to be made to the Center. My concerns are how does this program interact with what exists there now? Is there any shared staff? Is this going to involve ramping up what exists?

MR. MEYERS: No, there's no shared staff whatsoever. The State provides the staff for the correctional side of the Sununu Center. The vendor will provide all the staff for the operation of the 36-bed unit. It's really separate. It is not going to touch -- it's really separate from the budget of the rest of the Sununu Center. It doesn't affect at all the operation of the Sununu Center. The overlap, to the extent that there's overlap, that there are youth who are either detained or committed at the Sununu Center if they meet certain criteria can be treated in the 36-bed unit. So youth would be eligible upon there has to be, you know, a determination by a physician or other health professional under what's called ASAM criteria, Academy of Addiction Medicine Criteria that the youth has a diagnosis that would meet the treatment options at the 36-bed unit. So some individual, some adolescents who are committed could receive treatment at the facility.

The facility could also treat youth other than those who are committed or detained at the facility as well. This would be the only facility in the State of New Hampshire to treat adolescent substance misuse disorder.

REP. ROGERS: So it would have no effects on the budget of the Center that exists now?

MR. MEYERS: Correct.

REP. ROGERS: Or the amount of bed space that's there or the population.

MR. MEYERS: No. This bed space is not needed on the correctional side. We have 72 beds that we're still holding. The population, I don't know what it is this morning, as of late last week it was about 35. So this is not going to impact capacity on the correctional side at all, because the lease payment is going to cover the pro-rata share of the operational costs. There's no impact to the General Fund budget.

REP. ROGERS: Has this been shared with Fiscal at all?

CHAIRMAN GRAHAM: Follow-up.

REP. ROGERS: I'm sorry, yes. Has this been shared with Fiscal at all, this plan?

MR. MEYERS: Well, the Legislature passed a statute, Representative, directing the Department to do this. And it was aware of -- I mean, the requirements were what the Department was to do were laid out in the statute. Fiscal has no approval of this item at all.

REP. ROGERS: But they're not aware of it. Follow-up. I'm sorry.

MR. MEYERS: They have no role in it.

CHAIRMAN GRAHAM: Any other discussion? Quick question. Would you have this done by the 13<sup>th</sup> of this month, do you think?

MR. MEYERS: I won't have G & C approval by the 13<sup>th</sup>, no. That's definitely not the case.

CHAIRMAN GRAHAM: No.

MR. MEYERS: Possibly yes; but sitting here I don't want to guarantee it, because I can't -- you know, things happen.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

CHAIRMAN GRAHAM: My point was we're all going to be here on the 13<sup>th</sup> and if it was going to be finalized we could have a quick meeting --

MR. MEYERS: We may.

CHAIRMAN GRAHAM: -- and approve it.

MR. MEYERS: G & C approval wouldn't happen by then because the next meeting is not till the 20 something.

CHAIRMAN GRAHAM: It's the end of November.

MR. MEYERS: Yeah. But I may be able to come back on the 13<sup>th</sup>. I could certainly work to that.

CHAIRMAN GRAHAM: I'm not going to call us back together if there's not a reason to do this, so.

MR. ZELLEM: Thank you, Commissioner. It is my understanding that you were asking for an approval of the lease so that we could continue to move forward with the fully-fledged process.

MR. MEYERS: Correct.

MR. ZELLEM: You want contingent approval of the lease so we don't have any delays in meeting the legislative intent.

MR. MEYERS: That's correct. That's exactly right. If we don't get that, and this Committee is not meeting until sometime in November that will delay the start of this facility.

REP. DANIELSON: Thank you, Chairman. Thank you, Commissioner.

MR. MEYERS: Thank you.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

REP. DANIELSON: My question is does this freeze the use?  
If we say yes --

MR. MEYERS: Yeah.

REP. DANIELSON: -- does this freeze the use of the facility? For example, if we choose a couple years down the road and said no, we don't want to do residential adolescent substance abuse, are we frozen as far as the use of the building is concerned?

MR. MEYERS: No, it could always change. I mean, look, we've already made the structural changes to the facility. The work is done. The work is all completed, you know, and it is either ready or just any day about to be ready for a vendor to be able to come in and start doing what they need to do to provide the services. So the Legislature passed a statute directing the Department to do this. I want to emphasize that again. So we are implementing the legislative direction. At some point down the road, two or three or four or more years from now, if the Legislature decides to do something else with the facility, that's a separate discussion.

REP. DANIELSON: That's all I wanted to know. Thank you.

CHAIRMAN GRAHAM: We do -- personally, I think none of us want to delay this thing until next year some point. I would suggest that we do this. Perhaps approve it contingent upon until they get it signed. Then if LBA could do a side-by-side and just make sure that it is the same thing, let me know, and I would let everybody on the Committee know that it was the same as what was passed and that we could go ahead, then it just goes forward. If it's significantly changed, we're going to come back, and I don't think it will be --

MR. MEYERS: Understood. Understood.

CHAIRMAN GRAHAM: I really am a little hesitant because I don't think any of us have read this.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

\*\* SEN. FELTES: I'll make the Chairman's motion.

CHAIRMAN GRAHAM: Okay.

SEN. FELTES: What the Chairman said put it in a motion.

SEN. BIRDSELL: And I'll second it.

REP. CLOUTIER: So for the clerk, I don't know if we want to write this motion out because I sort of like to know. Because right now the motion is authorization for approval for four-year lease agreement for premises located on Sununu Youth Center. I don't know what you want.

CHAIRMAN GRAHAM: That the lease is --

MR. MEYERS: That the approval is contingent upon the submission of a fully executed lease with no material changes to it.

SEN. BIRDSELL: Perfect.

MICHAEL HOFFMAN, Senior Budget Officer, Office of Legislative Budget Assistant: Would the motion also consider a waiver of the \$1,100 administrative fee?

CHAIRMAN GRAHAM: Yeah.

SEN. FELTES: Yes.

MR. HOFFMAN: Thank you.

CHAIRMAN GRAHAM: I mean, we are not going to charge the Department to pay the Department. No.

MR. MEYERS: Thank you.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

REP. CLOUTIER: Again, you spoke so fast. Again, authorization for approval contingent upon --

MR. MEYERS: Upon the submission of a fully executed lease agreement.

REP. CLOUTIER: Contingent on the submission.

MR. MEYERS: Of a fully executed lease agreement with no material changes.

REP. CLOUTIER: Of a fully executed --

MR. MEYERS: Lease agreement.

REP. CLOUTIER: Lease agreement. Okay.

SEN. FELTES: With no material changes as reviewed by LBA.

MR. MEYERS: And reviewed by LBA.

MR. HOFFMAN: Sorry to be a pain.

REP. CLOUTIER: With no material changes and reviewed by LBA.

CHAIRMAN GRAHAM: Yeah.

REP. CLOUTIER: Okay.

MR. HOFFMAN: To include the four-year extension so at that point they don't have to come back to this Committee.

CHAIRMAN GRAHAM: Oh, yes. Yes.

REP. CLOUTIER: So add to include the --

CHAIRMAN GRAHAM: Four-year extension.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**

REP. CLOUTIER: And a review by LBA. Okay. I'm just trying to get that right.

CHAIRMAN GRAHAM: We're just trying to get to where we can go forward.

MR. MEYERS: Understood.

SEN. FELTES: And a waiver of the 1100.

REP. CLOUTIER: Review by the LBA. What was the last one after the LBA again? You don't have to come back for renewal.

SEN. FELTES: Correct.

REP. CLOUTIER: Okay. No renewal and again waiver of the --

CHAIRMAN GRAHAM: \$1,100 administrative fee.

REP. CLOUTIER: Thank you. I just wanted to be sure before we go.

**\*\*** SEN. FELTES: So move.

SEN. BIRDSELL: Second.

REP. CLOUTIER: Motion by Senator Feltes, seconded by Senator Birdsell. Okay, thank you.

CHAIRMAN GRAHAM: Is there any further discussion? Seeing none. Everybody understand the question? All those in favor say aye? Opposed nay? The ayes have it. And you're lucky Representative Chandler was not here.

**\*\*\* {MOTION ADOPTED}.**

MR. MEYERS: Thank you very much. I appreciate your consideration of this. Thank you.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

**September 5, 2018**



(4) Miscellaneous:

(5) Informational:

CHAIRMAN GRAHAM: And I see no further business before us. No other Late Items. Do we have anything? All right.

(6) Date of Next Meeting and Adjournment:

CHAIRMAN GRAHAM: Our next meeting is November 29<sup>th</sup> for those of us who win. For those of us who lose, I still expect you to be there because that will be the last meeting before February or March for the agencies to come in with items. Because the next Speaker and President will have to appoint people. There being no other business to come before us, this meeting is adjourned.

(Meeting adjourned at 10:37 a.m.)

## CERTIFICATION

I, Cecelia A. Trask, a Licensed Court Reporter-Shorthand, do hereby certify that the foregoing transcript is a true and accurate transcript from my shorthand notes taken on said date to the best of my ability, skill, knowledge and judgment.

Cecelia A. Trask  
Cecelia A. Trask, LSR, RMR, CRR  
State of New Hampshire  
License No. 47

