

Efficiency Maine Trust

Board Meeting Minutes

May 4, 2011

Augusta Civic Center Inn

Civic Center Drive, Augusta, ME

Trust Board Members

✓ Adam Lee, Chair	Dale McCormick
✓ Naomi Mermin, Vice Chair	✓ Jeffery Marks for Ken Fletcher
✓ James Atwell, Secretary	Glenn Poole
Michelle Atherton, Treasurer	✓ John Rohman
	✓ Tom Tietenberg

Efficiency Maine Trust Staff:

- Michael Stoddard
- Karen Bickerman
- Paul Badeau
- Andy Meyer
- Tim Vrabel
- Dana Fischer

Partial List of Other Attendees:

- Steve Ward – Maine Community Action Association (MCAA)
- A. J. Ballard – Bravo Zulu Energy
- John Richardson – Moncure Barnicle
- Chris Narowski – Applied Proactive Technology
- Stephen Thomas – Goggin Co.
- Donna Coffin – UMaine Extension Services
- Virginia Archambault – Vreeland Marketing
- Stan Mertz – Applied Proactive Technology

1.0 Approve Draft Agenda and Minutes

Mr. Lee called the meeting to order at 9:35a.m.

ACTION: Upon a motion duly made (Tietenberg) and seconded (Atwell) the Board voted unanimously to approve the minutes, with noted changes, from the April 6, 2011 meeting.

ACTION: Upon a motion duly made (Mermin) and seconded (Tietenberg) the Board voted unanimously to approve the agenda for today's meeting.

2.0 Executive Director Report

Michael Stoddard, Efficiency Maine's Executive Director, introduced Paul Badeau, Director of Marketing for Efficiency Maine, who gave a presentation on the upcoming Phil Hastings' Award. Nomination requests were included in Efficiency Maine's Newsletter, on Efficiency Maine's website and sent via e-mail to all on EMT's mailing lists. The deadline for these nominations is May 13, 2011. This award is given by Efficiency Maine to an individual or

organization whose exemplary efforts have furthered Efficiency Maine's mission to help Mainers save energy, save money and improve Maine's economic and environmental health. Mr. Badeau asked board members if any of them would like to volunteer to vet the nominees. Mr. Atwell and Mr. Rohman volunteered.

Trust staff has worked for months to develop policy documents governing certain activities of the staff. Efficiency Maine has four state employees working for it. As a result, the personnel policy is presented to the board in two forms: one personnel manual for state employees and one for non-state employees. A short discussion followed regarding the differences between the two personnel policies. Staff has also prepared a travel policy for the board's approval.

Mr. Stoddard said he had attended an event in Saco on Saturday for the grand opening of the City of Saco's new Central Fire Station. Efficiency Maine had offered a financial incentive of \$22,000. Mr. Stoddard presented the city with a plaque for their performance as a Maine Advanced Building. Mr. Stoddard noted that there were over 800 people in attendance. The audience was appreciative of the role Efficiency Maine played in getting the new fire station built.

Staff reported that it awarded the contract for delivery of the Business Program, pursuant to the request for proposals RFP EM-010-2011, to Energy & Resource Solutions, Inc (ERS). ERS was one of two finalists interviewed by staff during the process. Staff also reported that it awarded the Commercial Building Energy Consumption Baseline Study for RFP EM-009-2011 to Energy & Resource Solutions, Inc.

Staff also reported that it awarded the contract for Residential Lighting, Appliance, and Electronics Program Delivery, pursuant to the RFP EM-011-2011, to Applied Proactive Technology (APT).

The Trust issued notices to contractors and to the public, through its website, that the funding for rebates for whole house energy retrofits (Home Energy Savings Programs) is nearing its end. The program is at 122% of our Program-to-Date goal. 1,956 Maine homeowners are now saving, on average, \$1,329/yr from having completed energy retrofits, which equates to paying \$1.35/gallon avoided, locked in for 20 years.

The staff reported that the PACE loan program launched on April 6. More than 50 loan applications from homeowners have been received. As of May 4, 27 homeowners have been approved for PACE loans and the first two closings have been scheduled for this week.

On March 21, the Residential Appliance Program was reinstated. In the first month, the program received 369 rebate applications for clothes washers and 251 rebate applications for refrigerators. Tim Vrabel gave a short report on training sessions being offered by Efficiency Maine. He invited board members to attend some of the classes to see the programs up-close. Several board members expressed interest in attending various sessions. Mr. Vrabel explained that information about Efficiency Maine training programs is posted on Efficiency Maine's website, or noticed through e-mails sent by Efficiency Maine and in our newsletter

Mr. Vrabel also reported on the three evaluation RFPs that were recently awarded. The Impact Evaluation of Large Project Fund Grants was awarded to Navigant Consulting; Impact Evaluation of Commercial Project Grants was awarded to Navigant Consulting; and Impact Evaluation of Home Energy Savings Program was awarded to the Cadmus Group.

3.0 Committee Reports

1. Finance Committee

a. Action Item – Approve contract for Mulak and Associates, LLC for Building Operator Certification training

ACTION: Upon a motion duly made (Rohman) and seconded (Tietenberg) the board voted unanimously to authorize the Executive Director to execute a sole-source contract with Mulak and Associates, LLC to provide coordination and instructor services for the 2011 Building Operators Certification (BOC) training at Kennebec Valley Community College. The total contract cost is \$15,420.

b. Action Item – Approve Budget Adjustment for Recovery Act Communications contract

ARRA-SEP funds cannot be used to support the residential heating equipment rebate project. ARRA-SEEARP funds must be used but were not originally budgeted for communications within that program. There is no change in the Vreeland contract amount. The budget needs to be amended to reflect the appropriate ARRA funding source.

ACTION: Upon a motion duly made (Rohman) and seconded (Mermin) the board voted unanimously to authorize the Executive Director to:

- I. Reduce the contract with APT by \$55,000 by moving funds that were being used for rebate services into marketing services; and
- II. Increase the contract with CSG by \$55,000 and provide additional rebate funding that was being used for marketing purposes

c. Action Item – Approve contract for Database Management and Analysis with current Provider, GDS Associates

GDS Associates is a subcontractor of ERS, whose contract expires on June 30, 2011. To retain database and technical analysis support requires a new contract with GDS for a limited until results of the up-coming database are determined. Mr. Stoddard will meet with ERS and GDS Associates and a final contract will be presented to the Board at its next scheduled meeting before June 30, 2011 or to the Executive Committee if the Board does not meet before June 30, 2011.

2. Strategic Plan Committee

a. Action Item - Update of Request for Proposals

The RFP updates are noted above. Mr. Stoddard will provide the board with a list of those RFPs still waiting to come in. Ms. Mermin stated that there was a lot work moving this fairly significant shift in direction for Efficiency Maine and the Board is very pleased with staff progress.

b. Action Item – Amendment of Conservation Services Group (CSG) Contract

Staff requested Board authorization for the Efficiency Maine Trust to amend the contract with Conservation Services Group to reflect the transfer of funds to the Home Energy Savings Program (HESP) from unexpended funds at the State Energy Program managed by the Office of Energy Independence and Security (OEIS).

ACTION: Upon a motion duly made (Atwell) and seconded (Rohman) the board voted unanimously to authorize staff to amend the contract with Conservation Services Group to increase the budget in an amount equal to the balance transferred from the State Energy Program account at OEIS (approximately \$162,000) provided that the transfer is approved by US DOE

3. Governance Committee

a. Action Item - Amend the by-laws of the Efficiency Maine Trust:

Mr. Stoddard explained that this was a technical correction changing the MRSA notation to the correction reference. Ms. Mermin observed that amendments to the by-laws require written notice of at least 30 days, so it was agreed to move action on the by-laws to the next earliest opportunity after proper notice is given.

b. Action Item – Approve Trust Travel Manual

There was a brief discussion detailing how the Governance Committee had met to discuss the manual. The manual makes clear those steps needed in order for staff to obtain advance travel authorization and those steps needed to obtain reimbursement. All employees will read the manual and sign off on it. The staff is requesting formal adoption by the Board.

ACTION: Upon a motion duly made (Rohman) and seconded (Atwell), the board voted unanimously to approve the Trust Travel Manual.

c. Action Item – Approve Trust Personnel Manuals

There was a brief discussion explaining why there are two Personnel Manuals - one for State Employees and one for Non-State Employees. The Attorney General's office gave the opinion that because there are four employees working for EMT who are still state employees, the Trust would need an employee manual specific to those state employees. Several differences of note are State Employees must observe state shut-down days and, if the state offices close due to weather, EMT's state

employees will not be in the office. Vacation, sick and personal days, as well as hiring and firing are subject to State of Maine regulations.

ACTION: Upon a motion duly made (Atwell) and seconded (Rohman), the board voted unanimously to approve the Trust Non-State Employee Personnel Manual and the State Employee Personnel Manual.

4. Other

a. Legislation and rule-making updates

At the Legislature, the next step in the budget process is for the Appropriations Committee to vote on EMTs budget. The Energy, Utilities and Technology Committee (EUT) has already voted to keep our system Benefit Charge (SBC) at the same level as last year, with the minority voting to increase the level consistent with the Triennial Plan and the statutory directive to capture all electric efficiency that is cost effective, reliable and feasible. Mr. Stoddard and staff are reaching out to key legislators, letting them know who the Trust is, what the Trust does and to answer any questions they may have.

All legislative hearings are to be done by the middle of May

Staff expects to undertake rulemaking processes in the next several months. Chapter 380, regarding cost-effectiveness, was written exclusively for electric programs and would serve EMT better if it gave more guidance to the business community and staff so that all parties are on the same page when testing cost-effectiveness for all fuels. The Board recommended holding a workshop for stakeholders to learn more about Chapter 380.

Staff is also considering re-opening the PACE rule. New information about the U.S. Department of Energy's (DOE) legal interpretations make it possible for the Trust to make payments directly to contractors without triggering Davis-Bacon Act requirements. Staff intends to amend the PACE rule to reflect this.

4.0 Energy Issues Presentation

Residential Lighting – Technology Comparisons and program issues

Presenter: Chris Narowski and Stan Mertz of Applied Proactive Technologies, Inc.

The Board received a presentation from APT comparing the cost and savings of incandescent, compact fluorescent and LED lights. The PowerPoint presentation is attached.

5.0 Public Comment

AJ Ballard, president of Bravo Zulu, LLC, made a presentation to the Board to ask the Board to reinstate his recently terminated contract. Mr. Ballard then handed out a 13-page report detailing his progress to date.

Mr. Lee asked staff to provide updates on the contract in questions to the Governance Committee.

Steve Thomas of the Goggin Co. and a resident of Kennebunk voiced concerns that it is onerous for towns to opt into the PACE program and for homeowners to meet the 25% savings threshold.

6.0 New Business

There was no new business.

7.0 Next Meeting Agenda

The next meeting will be on the first Wednesday of the month, June 1. Ms. Bickerman will email a reminder.

Mr. Stoddard asked, with the summer months coming and with the Legislature out, if the Board intends to change the schedule for upcoming Board meetings. Dates and times will be discussed later.

Mr. Rohman indicated that he would like to have two or three of educational sessions during the summer.

Mr. Lee asked for someone to take a look at the Triennial Plan and analyze the implications of new fuel costs.

8.0 Adjourn

Motion to adjourn (Rohman) seconded (Tietenberg), approved unanimously.