

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

Legislative Office Building, Room 104

Concord, NH

Thursday, November 29, 2018

**MEMBERS PRESENT:**

Rep. John Graham, Chair

Rep. John Cloutier

Rep. Mark McConkey

Rep. Katherine Rogers (Alt.)

Rep. David Danielson

Sen. Regina Birdsell

Sen. James Gray

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

**(1) Acceptance of Minutes of the September 5, 2018 meeting**

JOHN GRAHAM, State Representative, Hillsborough County District #07, and Chairman: The time being 10 o'clock, I would like to call this meeting of the Long Range Capital Planning and Utilization Committee to order. The first order of business is the approval of --

**\*\* DAVID DANIELSON, State Representative, Hillsborough County, District #07:** Move acceptance of the minutes of September 5<sup>th</sup>.

JOHN CLOUTIER, State Representative, Sullivan County, District #10: Okay. Representative Daniels made the motion. Is there a second?

REP. DANIELSON: Danielson. It's only going to take me another eight days. Danielson.

REP. CLOUTIER: Danielson. Okay. Excuse me. Mr. Chairman, is there a second?

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

REP. CLOUTIER: Okay, thank you.

CHAIRMAN GRAHAM: You heard the motion to accept the minutes from the previous meeting. Is there any discussion? If not, all those in favor signify by saying aye? Approve -- opposed no? The motion is approved and the minutes are accepted.

\*\*\* {MOTION ADOPTED}

(2) Old Business:

CHAIRMAN GRAHAM: Old Business. The only thing that I have is the last time there was a late item, Item 18-036, from Health and Human Services where we agreed that it was contingent upon providing an executed lease agreement to LBA before it went to Governor and Council. We all received the e-mails after that lease was -- was done, and I appreciate the Committee doing it that way so that we could move forward with that facility that is needed to help battle the opioid crisis.

(3) New Business:

CHAIRMAN GRAHAM: New Business. First item is LRCP 18-042, Department of Transportation, requesting authorization to enter into a 15-year renewable lease agreement with B&C Management-New Hampshire, Inc. Is the Department ready to talk and explain this to us?

For everybody standing in the back I apologize, but orientation of new members is going on and all the rooms upstairs are being used for that. So we were allowed to meet here, shall I say, or forced, whichever way you want to look at.

MR. ZELLEM: Relegated.

CHAIRMAN GRAHAM: Thank you. That's a great word.

PHILLIP MILES, Chief, Property Management Division, Department of Transportation: Good morning. My name is Phillip Miles. I'm the Chief of Property Management with the Department

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of Transportation. We're bringing this item forward. It's a request to enter into a 15-year renewable lease with B&C Management-New Hampshire, Inc., in the amount of \$21,600 per year for leasing a portion of their property consisting of .55 of an acre of property located at the F. E. Everett Turnpike Exit 7 interchange in the City of Nashua.

Concerning this property, the Department currently uses this area in question as a Park and Ride facility. We have been using it for this purpose for about the last 30 years or so. Previously, also connected with this, will be the next item with the sale of a portion of the L.A. Right-of-Way that the hotel is using as a portion of their parking lot. And in the past we've done kind of a reciprocal type agreements where they have used the parking for the restaurant, hotel, and then we've used this area as a Park and Ride. In the past there's been a neighborhood outcry to use this area as a Park and Ride facility. The Department's built other Park and Rides at Exit 10 and Exit 6 also to try to get more Park and Ride facilities down there and try to move the -- this traffic down there. But it seems like this area is -- is well used and there's been an outcry to keep this use.

So in doing so, the Department's reviewed this and the feeling is that we would like to keep this lease for leasing of this area for this time frame. So we'd like to enter into the -- into this lease. So it would be a 15-year lease with an option for a renewal for additional 15 years, if warranted. And we have some conditions there that we would use.

So it would be for the 15 years. We would provide periodic maintenance to that area that we would be leasing which would include snow removal, paving, striping, signage, and drainage work. There's currently signing there now for the Park and Ride facility. Also, as part of that parking area, we would allow the hotel to allow access through this area that they lease to get to other parts of their parking lot. And then, also, the parking area wouldn't be exclusive to the DOT and that's reflected in the price that we've come up with.

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Currently, the area that we're leasing has 50 -- 48 spots. A count of the cars that use it comes up to be about 20 to 25 cars a day. The cars that are used, they haven't been asked if they use the hotel or the Park and Ride facility. It's just a count of the vehicles, but it seems to be kind of a consistent number. Also, my understanding is that sometimes there will be additional traffic; buses will pick up people there and stuff like that. So we've done an appraisal on the property for a lease in a determined amount of \$21,600 per year.

CHAIRMAN GRAHAM: Thank you. Questions of -- I do have a couple. What's the funding source of funds for the 21,000?

MR. MILES: It would be from Turnpikes.

CHAIRMAN GRAHAM: Turnpike Fund. Thank you. And then you mentioned about the hotel use. Is it possible that they would start using all of them? And if that's the case, then we're maintaining and leasing things for them. How are we going to manage that, I guess, is what I'm asking if we're leasing it and they start using it for all of their -- their guests?

MR. MILES: Sure. Well, we've -- we've had a relationship over the years with the hotel owner and it's worked good so far. In speaking with them about that issue, they've submitted a letter which I can hand out which basically says that they would allow -- if for some reason the parking overflows in that area that they would allow Park and Ride users to park in other lots of the hotel there, if choose be, and that can be also put in the lease agreement for that.

CHAIRMAN GRAHAM: Okay.

MR. MILES: The area that they -- they -- that we would be leasing is kind of the farthest one from their -- the hotel and the restaurant. So they do have another parking area with about 30, 40 spaces that's closer to where the rooms are, and then the area which they're purchasing from us is ideal for the restaurant and that portion of the complex.

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CHAIRMAN GRAHAM: Any other questions?

REP. CLOUTIER: Excuse me, Mr. Chairman. I had a similar question because I'm concerned, you know, the hotel has a lot of guests and there's an overflow in the Park and Ride. Could there be conflicts between people -- hotel guests and people want to use the Park and Ride? I'm a little concerned when I was reading this.

MR. MILES: It seems, you know, again, over the years that we've -- we've been in this arrangement, there hasn't been any issues to date.

REP. CLOUTIER: Okay. So this has sort of been happening. There's been no major conflicts.

MR. MILES: Correct. And this arrangement has been going on for at least 20 years.

REP. CLOUTIER: Twenty years. Okay. All right. Okay. All right.

CHAIRMAN GRAHAM: Representative Danielson.

REP. DANIELSON: Thank you, Chairman. If I understood your testimony correctly, you would be willing or they would be willing to enter -- to modify the agreement, written agreement so that we knew what you just said was going to be included.

MR. MILES: Correct.

REP. DANIELSON: If we do that, Chairman, I would -- with that stipulation I would be okay with this.

CHAIRMAN GRAHAM: Any other questions? What is the pleasure of the Committee on Item 18-042?

\*\* REP. DANIELSON: Chairman, I move approval with the corrections or the admissions that we just had.

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

CHAIRMAN GRAHAM: Second. Okay. Been moved and seconded that the item be approved with the provision that the lease talk about the provisions of us using the Park and Ride.

REP. DANIELSON: The main language about how we go about extension of the property.

CHAIRMAN GRAHAM: Any other discussion? Seeing none. All those in favor signify by saying aye? Opposed nay? The motion is approved.

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

CHAIRMAN GRAHAM: Moving on to item LRCP 18-041 from the Department of Transportation to sell 0.965 of an acre located along the F. E. Everett in the City of Manchester to the same firm B&C Management-New Hampshire. You're up again.

MR. MILES: Yes. Basically, this would be kind of the second part of the -- of the sale. So at this point the -- the front of the property is a parking lot that's inside the limited access right-of-way of the interchange that's paved and is used as the parking for the restaurant and the hotel. So the Department has reviewed -- we have been approached by the -- by the -- by the owner of the hotel wanting to purchase the parking lot. So we've done a review internally and feel that the -- that the area is surplus to our needs. So we've -- we've done an appraisal to determine the value of the property, and we appraised the property at \$521,000. And as part of the conditions of the sale is that there would be no access to any of the adjacent roadways, that they would prepare us a survey to define the limits of the property, which they already have done. The Department would retain drainage easements and a site line clearing easement on the property for visibility as far as the easement, and then that the sale would coincide with the leasing of the area for the Park and Ride.

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CHAIRMAN GRAHAM: Thank you. Any questions of the Department? Anybody -- anybody else wish to testify on this item? I should have said that for the last one but my apologies. If not, what is the pleasure of the Committee on Item 18-041?

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

REP. DANIELSON: Second.

CHAIRMAN GRAHAM: Been moved and seconded that the item be approved. Any discussion?

MR. MILES: Also, I just want to bring up one other point, too, I guess.

CHAIRMAN GRAHAM: Too late.

MR. MILES: The -- the property is owned by K-W-D Condominium which, again, they have two interest holders, the B&C Management-New Hampshire, Inc., and Double 9 Property II LLC, which basically one is the holder of the hotel interest in the property and one is the holder of the restaurant interest in the property, which is the 99.

CHAIRMAN GRAHAM: It's spelled out.

MR. MILES: Yeah. I just wanted to point out that one of the --

CHAIRMAN GRAHAM: I did say we were finished. We are in the voting mode. We're going to take the vote on this.

MR. MILES: Okay.

CHAIRMAN GRAHAM: All right. Any further discussion? Seeing none. All those in favor, signify by saying aye? Opposed nay? The motion is approved.

\*\*\* {MOTION ADOPTED}

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CHAIRMAN GRAHAM: Item LRCP 18-043 from the Department of Transportation, to lease a parcel of State-owned land consisting of 9,782 square feet in the City of Concord. It's an amendment to a previously done item.

MR. MILES: Yes. Okay. Thank you. This is basically it's the approval of an item that was approved on June 6<sup>th</sup>, 2018, and this is for the leasing of a portion of the L.A. Right-of-Way in Concord at the Exit 12 interchange for development of the Days Inn Hotel. And, basically, when we got approval the entity that we got approval for for the lease will not be leasing the property and the party asked us to change that to the entity that will be and that's what this submission's for.

CHAIRMAN GRAHAM: Any questions?

REP. DANIELSON: It's an amendment of the approval, not an approval of the approval.

CHAIRMAN GRAHAM: Yeah, just amending who we're signing the lease with.

REP. DANIELSON: Right.

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

CHAIRMAN GRAHAM: Senator Birdsell moved approval.

REP. DANIELSON: Second.

CHAIRMAN GRAHAM: Second by Representative Danielson. Any discussion? Seeing none. All those in favor, signify by saying aye? Opposed nay? The ayes have it and Item 043 is approved.

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

CHAIRMAN GRAHAM: Moving on to Department of Administrative Services, Item 18-039, authorization to grant perpetual utility

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easement on State-owned property to the Unitil Energy System, Inc. Who's up for the Department?

JARED NYLUND, Real Property Asset Manager, Department of Administrative Services: Jared Nylund, Real Property Asset Manager, Department of Administrative Services.

CHAIRMAN GRAHAM: You're not up?

MICHAEL CONNOR, Department of Administrative Services: I'm just here in case you have any questions.

REP. DANIELSON: How's retirement, by the way?

MR. CONNOR: Excellent.

CHAIRMAN GRAHAM: Let him go ahead.

MR. NYLUND: It's a request to grant a perpetual utility easement, essentially extend a pole line onto the property at 33 Green Street to support -- to provide power and support the new steam boiler building being built there. Any questions?

CHAIRMAN GRAHAM: I noticed that it still has to go to CORD.

MR. NYLUND: Yes.

CHAIRMAN GRAHAM: They're not meeting till January.

MR. NYLUND: Correct.

CHAIRMAN GRAHAM: What if they turn it down after we approve it?

MR. NYLUND: Well --

REP. DANIELSON: Shall we make it --

CHAIRMAN GRAHAM: Contingent?

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REP. DANIELSON: -- contingent upon the approval.

MR. ZELLEM: We have to.

CHAIRMAN GRAHAM: We have to, yes. That's where I was going with it.

MR. ZELLEM: Yeah.

CHAIRMAN GRAHAM: And this is for the permanent steam plant, I understand.

MR. NYLUND: Correct.

REP. DANIELSON: The one that's behind us?

CHAIRMAN GRAHAM: No, it's three streets over. It's another -- look at the map. What is the pleasure of the Committee? Have any questions about the item to the Department?

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

CHAIRMAN GRAHAM: Does anybody in the back have -- okay. Move to approve.

SEN. BIRDSELL: As long as it's authorized.

CHAIRMAN GRAHAM: Okay. Senator Birdsell moved that the item be approved contingent upon approval being granted by CORD.

REP. DANIELSON: Second.

CHAIRMAN GRAHAM: 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: Disposal of Real Estate, LRCP 18-038, Department of Transportation, to sell approximately 3,230 square

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feet of State-owned Northern Railroad Corridor in the Town of Enfield.

LOUIS BARKER, Railroad Planner, Bureau of Aeronautics, Rail and Transit, Department of Transportation: Good morning. I'm Lou Barker from the New Hampshire Department of Transportation, Bureau of Rail and Transit. I'm the Railroad Planner and Property Manager of railroad properties.

We are requesting the Long Range Capital Planning and Utilization Committee approve a sale of this property in the Town of Enfield for \$30,000. We've already collected a \$500 amount toward the \$1,100 required by statute as directed by the Long Range Committee.

This parcel is where a former railroad warehouse was located. The railroad many years ago business model's a little different. They would sell or lease facilities and maintain the property. So it's come down we still own the property, but the building has been in someone else's hands probably for 40 or 50 years. This is to basically do some housekeeping in Enfield.

CHAIRMAN GRAHAM: Questions of the Department?

REP. DANIELSON: Can I just ask a question?

CHAIRMAN GRAHAM: Sure.

REP. DANIELSON: It's relevant but not directly applies to this. A lot has been written recently in a lot of testimony in public hearings recently about our giving up our right-of-ways, our rail right-of-ways for recreational use as opposed to maybe keeping them for actual future use for whatever reason, transportation. Is there any long range -- long range plan to think about how we are applying that thought?

MR. BARKER: In this location we are maintaining 87 feet width of the corridor so it is still contiguous. It's part of the high-speed rail corridor from Boston to Montreal as

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designated by the Federal Government. Currently, it is a recreational facility. It's the Northern Rail Trail.

REP. DANIELSON: Okay. So there is a thought process behind the whole thing.

MR. BARKER: Yes, sir.

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

CHAIRMAN GRAHAM: Anybody else have anything to add to this? Any questions of the rest of the Committee? Seeing none. What's the pleasure of the Committee on Item 18-038?

\*\* REP. DANIELSON: Move approval of 18-038.

SEN. BIRDSELL: Second.

CHAIRMAN GRAHAM: Senator --

REP. DANIELSON: No.

CHAIRMAN GRAHAM: Representative Danielson moved. Senator Birdsell seconded. All those in favor, signify by saying aye? Opposed nay? The item is approved.

\*\*\* {MOTION ADOPTED}

CHAIRMAN GRAHAM: There is one late item from -- Item 18-044. It was e-mailed out to people and you have a copy in front of you at the moment. It's from the Department of Transportation to reduce the price of a parcel of land. Yeah, wow!

REP. DANIELSON: That's a two-thirds reduction.

SEN. BIRDSELL: Wow!

CHAIRMAN GRAHAM: I hear a lot of wows. You better talk really well.

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REP. CLOUTIER: Mr. Chairman. Okay. For the record, why are you recommending such a huge reduction?

MR. MILES: Well, basically, we -- we re-looked at the property. We had folks from our Bureau of Environment go out and do a wetland delineation to determine wetlands on the property. While they're not wetland scientists, they can go out to delineate wetland types on the property. And when they did that, it turned out that about three-quarters of the property is delineated as wetlands, which with the initial appraisal the wetland delineation was not that much at all. So, unfortunately, with that delineation, it decreases the value. There's only a small portion of the property that's dry and developable without doing any kind of mitigation type work. So, unfortunately, the appraisal looking at it, it went from being kind of a stand-alone parcel on the corner of two state roads to kind of a contributory property to maybe to an abutter with a lot of wetland on it.

REP. CLOUTIER: May I? I don't mean -- May I ask why was that missed? Any reason, special reason? Why wasn't it in the first appraisal?

MR. MILES: When you looked at the wetland mapping that was done, our feeling was that that mapping was done prior to the project being done there, and the wetlands through there was limited. But when we -- when we constructed the project, if you're familiar with that area, the roadways, they're both fills coming into that intersection. It's probably 10 to 15 feet above grade of this property on both intersections. So what's happening -- and there's two culverts -- two large culverts draining into this piece. So what's happening it's getting a bunch of water going into this piece and not flowing out, and over the last few years it's kind of created this wetlands. It's not a -- it wouldn't be like a typical, you know, a soak type wetland that you would look at and say it's definitely wet. But it's kind of like a forest type wetland as a wetland scientist and those type of people trained to look at it would look at and

say that it's wet to that distinction and delineation that it has to -- it's become that over time.

REP. CLOUTIER: So follow-up, Mr. Chairman.

CHAIRMAN GRAHAM: Follow-up.

REP. CLOUIER: So the wetlands, the increased wetlands were created because of the road project.

MR. MILES: I think -- I think they became increased in size because of that, yes.

REP. CLOUTIER: Okay.

CHAIRMAN GRAHAM: Senator Birdsell.

SEN. BIRDSELL: Thank you. Is this that area of 111 and 28 where it's on the hill with the big fence along --

MR. MILES: Yes, it comes into that. That's on the other side of the rail trail corridor.

SEN. BIRDSELL: Yeah.

MR. MILES: Yeah. When you go -- when you go under the rail trail corridor to the interchange.

SEN. BIRDSELL: Oh. Okay. Got it.

REP. DANIELSON: Hum -- Chairman.

CHAIRMAN GRAHAM: I do have a question that you may not be able to answer. If we were to approve it -- approve this, and drop that price by \$300,000, and the developer or whoever buys it decides that it's not that wet, we're going to build on it, we would be selling the land fairly cheap at that point since you even admit that the people that went out were not wetland scientists. That's my concern is that we're selling it.

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MR. MILES: They're environmentalists so they're trained to do this, but they can't do it for like a development purpose. You couldn't be recognized for, you know, somebody couldn't bring this to the town to say that this is -- this is delineation of a wetlands. They would have to hire a wetlands scientist to actually do this for them. But -- but our folks that work for the Department do this for highway projects and stuff like that. So they're trained to delineate the wetlands so the feeling is that what they delineated is pretty accurate, but it's something that can't be used as far as for development purposes.

CHAIRMAN GRAHAM: Representative McConkey. He is a member of the Committee. He just can't get in.

MARK MCCONKEY, State Representative, Carroll County, District #03: Thank you, Mr. Chairman. I guess my question follows up on Chairman Graham's question and my concern and his concern that this would be poorly drained versus very poorly drained or being jurisdictional wetland. Because it was poorly drained the State would clearly allow that to be filled and built on. So I believe the Chairman's question has merit.

MR. MILES: Hm-hum.

MR. ZELLEM: The Department has very skilled assessors, and is it safe to say that there's been a material change on the site since it was originally assessed? Because it's not conceivable to me how we could have made such a drastic misvaluation back when this was first assessed, looks like 2017.

MR. MILES: You know, again, I believe that the thought was, again, that the -- the appraiser when they went out and looked at it at that time feeling they were using the maps and it wasn't as wet, I guess, or wasn't -- we didn't do any map -- we didn't do any wetland delineation at that time. So we didn't know what was there. Just using the maps, I guess. So nobody went out and physically looked at it. So it possibly could have been larger than it was at the time, but nobody went out to delineate and just relied on those maps at the time.

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Unfortunately, being a wet year, it's maybe the -- with it being wet is more noticeable and I think maybe that brought it to light that, you know, this type of wetlands there.

REP. DANIELSON: Mr. Chairman.

CHAIRMAN GRAHAM: Senator Gray has a question.

REP. DANIELSON: I'm sorry.

JAMES GRAY, State Senator, Senate District #06: Well, taking your testimony as a whole, what I really heard was that when we designed it, we dumped water on there. So whether we call it a retention pond or retention area or something, we intended the water would go there and not leave. Okay. And that the definition of it as a wetlands area is probably based on the plant life that's there now, and not the water or other things that are there, which is one way to define a wetland is to look at the vegetation. So it makes me wonder why we're even selling this if the design of this --

CHAIRMAN GRAHAM: I don't think it was designed --

SEN. GRAY: -- you know, was to dump the water on it.

CHAIRMAN GRAHAM: I don't think it was designed to cover mitigation.

SEN. GRAY: Well, but that's what apparently has happened. Is that if -- you know, if those culverts are designed the way they are, and there's no culvert leading away from here, then -- so --

MR. MILES: Well, my understanding there is. The thought is that the water will flow out of -- out of that area, but I think it's just with the terrain there it's just water's getting trapped in there.

REP. DANIELSON: Chairman, my attitude right now on this is just hearing testimony and what we've heard of the testimony

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from the Senator's question, I wouldn't think we should approve this today. I think what we should do is if they want to go ahead with any type of price reduction or sale of this property that they engineer it, have it engineered, not have -- not just have someone inspect it and not to use the folks not doing the job. I'd rather have the confidence of having an engineer look at it and say it's not worthy of the price we've got on it.

CHAIRMAN GRAHAM: Representative McConkey, you had a question?

REP. MCCONKEY: Thank you, Mr. Chairman. I just suggest that -- I don't know if the Department has asked DES who has a wetlands scientist on staff to go out there and see if they'll map that.

CHAIRMAN GRAHAM: Have you?

MR. MILES: We have not.

CHAIRMAN GRAHAM: Okay.

SEN. GRAY: They designed the project. There should have been a drainage plan, okay. And so if that drainage plan exists, then it's probably just a matter of bringing that drainage plan in and explaining what we did that increased the amount of wetlands on there or decreased it or whatever.

CHAIRMAN GRAHAM: But we don't have that in front of us right now. Okay. If we were to hold this in abeyance until whoever is sitting in this chair next year, what happens with the property from the Department's point of view?

MR. MILES: Hum -- at this point we're -- the listing agreement also needs to be renewed. So, you know, at this point it would make sense just to get approval to do that so it can potentially still be marketed. What we could do is, you know, possibly we could ask DES to see if they could do something with it. We really haven't done anything like that before, but see if they take a look at it.

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CHAIRMAN GRAHAM: I think we are going to have to. Personally, I think that that's probably the thing to do is to do that because I think no matter who is sitting around this table in this Committee the next time is going to have the same types of questions and -- and -- and while I understand that your people have gone out and looked at and thinks that it is --

MR. MILES: Hm-hum.

CHAIRMAN GRAHAM: -- just the sheer number of questions that are still unanswered --

MR. MILES: Sure.

CHAIRMAN GRAHAM: -- in some of our minds to take a huge drop in price. And it may be justified. I'm not saying it's not.

MR. MILES: Yep, sure.

CHAIRMAN GRAHAM: Rather than just start listing it and not knowing for sure.

MR. MILES: Hm-hum.

CHAIRMAN GRAHAM: I think that a motion to re-enter into the listing agreement if the firm's still willing would be the thing to do and for you to come back maybe at the next -- probably be March or so before the next meeting. Senator Birdsell.

MR. MILES: Sure.

SEN. BIRDSELL: Are there any buyers looking at this piece of property currently?

MR. MILES: We haven't got any offers on it. People are looking; but, again, I think at the price nobody's really moving forward to do any kind of due diligence work on it.

SEN. BIRDSELL: Okay.

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REP. DANIELSON: Chairman, if we're going to listing agreement, consider a listing agreement just hold on the same price.

CHAIRMAN GRAHAM: Yeah, it would just be a renewal of the listing agreement.

REP. DANIELSON: Senator's comment about the plans probably having some background already, maybe we can look at that or somebody can look at that and bring that forward.

CHAIRMAN GRAHAM: That's why I'm saying probably the next meeting. So what is the pleasure of the Committee?

REP. CLOUTIER: Mr. Chairman, would a motion to table be in order?

MR. ZELLEM: We need to review --

CHAIRMAN GRAHAM: My understanding, correct me if I'm wrong, is that they need at least a motion to enter into an agreement with the realty company or a realty company to continue advertising the property. Somebody may buy it for that.

MS. BIRDSELL: Can we divide the question?

CHAIRMAN GRAHAM: What?

SEN. BIRDSELL: Can we divide the question?

CHAIRMAN GRAHAM: We just make the motion. We just make the motion that --

**\*\*** SEN. BIRDSELL: All right. Then I'll make the motion to approve the listing of the sale -- extending the approval for the listing of the sale of the property.

CHAIRMAN GRAHAM: Is there a second?

REP. DANIELSON: At the same price, Senator?

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SEN. BIRDSELL: At the same price.

REP. DANIELSON: Then I'll second that.

CHAIRMAN GRAHAM: Been moved and seconded that the motion is the Department enter into an agreement at the same price with a realty company, probably the same one, but is there any further discussion? Seeing none, all those in favor signify by saying aye? Opposed nay? The ayes have it and thank you.

\*\*\*{MOTION ADOPTED}

(4) Miscellaneous:

(5) Informational:

CHAIRMAN GRAHAM: Informational item, LRCP 18-038. No, 40. Excuse me. From Council on Resources and Development. Any discussion on that matter?

Under Miscellaneous you all have -- you all -- everyone on the Committee received an e-mail copy of the report that I am required to send to the Governor and Council and Senate President and Speaker of the House. Are there -- this is your last opportunity to signify whether or not you want any changes or you think there's something should be deleted or added. Any takers? Seeing none? That --

MR. ZELLEM: I'm sorry. The section on the agency Capital Budget.

CHAIRMAN GRAHAM: Boiler plate.

MR. ZELLEM: Boiler plate. I would just make reference to the recommendations State Treasurer has sent to the Governor and Legislature on the bonding caps.

CHAIRMAN GRAHAM: Which we don't know what they are.

MR. ZELLEM: I think that report came out the --

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CHAIRMAN GRAHAM: We do not know what that is at the moment.

MR. ZELLEM: I think that report goes to the Legislature as well.

CHAIRMAN GRAHAM: When we get -- I know Public Works and Highway gets it. Sometime in March or, I mean, January or so when Capital Budget comes we get the briefing. He may have sent it to the Speaker but the Speaker is in Bartlett.

MR. ZELLEM: That's probably what's happened.

CHAIRMAN GRAHAM: But no, that is taken into consideration. Representative Cloutier and I have got what, 47 years --

REP. CLOUTIER: Yeah, that's right.

CHAIRMAN GRAHAM: Representative McConkey has been there, too. So that will go forward. It will include what we did today in the final report. LBA will do that and let me see a copy sometime since I have to sign the letter that goes forward and that is --

REP. CLOUTIER: Excuse me, Chair. Do we need a motion on this report though? I think it's --

\*\* REP. DANIELSON: Chairman, I make a motion that we approve the Draft Biennial Report of November 21<sup>st</sup>, 2018.

SEN. BIRDSELL: I'll second.

CHAIRMAN GRAHAM: Any discussion? If not, signify by saying aye. Opposed nay? And the draft is approved subject to what we did today.

\*\*\* {MOTION ADOPTED}

CHAIRMAN GRAHAM: I appreciate everybody coming out today on essentially the last business day of the current session of the General Court. It's been a pleasure to work with you over the

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last couple of years. And I hope we will see some of you back on this Committee because experience does matter. And, with that, we are adjourned subject to the call of the Chair.

(The meeting adjourned at 10:36 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.

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

